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**JESSE THE MODERATE**

JULY 17, 1987

# NATIONAL REVIEW

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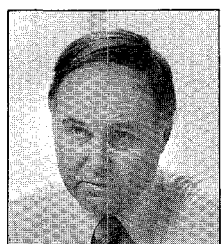
# NATIONAL REVIEW



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## LETTERS

## Feeding Hearts

The disappointing truth about Catholic Relief Services ["And the Poor Shall Be Suckered," by James MacGuire, July 3] is quite a scandal, but neither the Church nor even Lawrence Pezzullo should shoulder all the blame.

Spontaneous charity—given because you believe in it—is fine. That's what CRS used to stand for. But marketed compassion and an entire philosophy of giving for its own sake are both dubious. And nobody is willing to go out on a limb and label the whole Band-Aid wagon a tasteless fraud.

Unadulterated militant compassion is also morally wrong, because it's based on relativist "humanitarian" sentimentality rather than on realistic political/economic reasoning. Thus a drought—not Mengistu—was held responsible for the Ethiopian famine. Meanwhile the real culprit (banana planned economies) escapes unscathed with still more IMFunds.

Before CRS makes another "by plane, boat, and train" promise, the line between reason and emotion had better be drawn.

P. N. Gwyne  
*Pittsburgh, Pa.*

## Bennett at the NEH

David Wagner's thoughtful article on Secretary Bennett does not mention Mr. Bennett's record as chairman of the National Endowment for the Humanities ["Bill Bennett's Dilemma," June 19]. But the clarity and vigor of his mind in that position are what originally brought him to public attention. When he came to the Endowment in late December 1981, the Reagan Revolution, well under way elsewhere, had produced only distant echoes at 806 15th Street, N.W., where the Carter Administration continued in its full intellectual vacuity. No one could claim to define what we meant by the humanities, which then were just pretty much the good, the true, the beautiful—therefore, always, the things liberals liked; and everyone took for granted that everything was as good as everything else. So we never knew whether a project succeeded or failed, except as the grantee told us. Few gave themselves low grades. Nor did the agency have a clear answer, in concrete terms, to the question: Why should public money be spent on these things any-

how? Bennett changed all that. He announced what the humanities are: mainly history, literature, philosophy. He spelled out why they are important to the public interest. He knew good from bad and explained the difference. He gave the agency purpose and focus. And he recognized on the staff, and also brought in, some first-rate people, starting with the deputy chairman, then and now, John Agresto.

That chapter in Bennett's splendid career is not to be missed. It is no wonder that the President asked him to meet a still greater challenge in leadership and administration, one for which his gifts of mind and spirit neatly suited him. It is a tribute to Bennett's standing as the best conservative mind in the Administration that Mr. Wagner could have produced so thoughtful an essay.

Jacob Neusner  
*Member,*

*NEH Governing Council, 1978-1984*  
*Providence, R.I.*

## What, Me Ecclesiophobic?

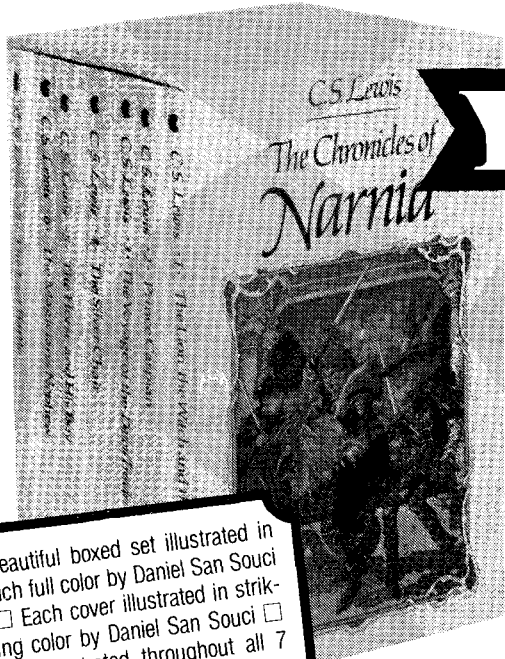
"Ecclesiophobic"?! As a Southern Baptist minister (and a pastor for some twenty years) I was surprised to read that the organization I head is "liberal" and "ecclesiophobic" ["Bill Bennett's Dilemma"]. Writer David Wagner must have us confused with someone else.

Americans United for Separation of Church and State has included a large religious constituency since its founding forty years ago. No fewer than five of our 15-member board of trustees are ordained ministers. A couple more are denominational employees. And a recent survey of the organization's membership found 64 per cent in attendance at religious services each week—well above the national average.

Americans United has neither fear of nor aversion to churches or religion. What we fear is the injudicious efforts of Secretary Bennett and others to mix church with state.

Incidentally, the "liberal" tag is also misleading. That aforementioned survey found 53 per cent professing membership in the Republican Party.

Robert L. Maddox  
*Executive Director*  
*Americans United for Separation of*  
*Church and State*  
*Silver Spring, Md.*



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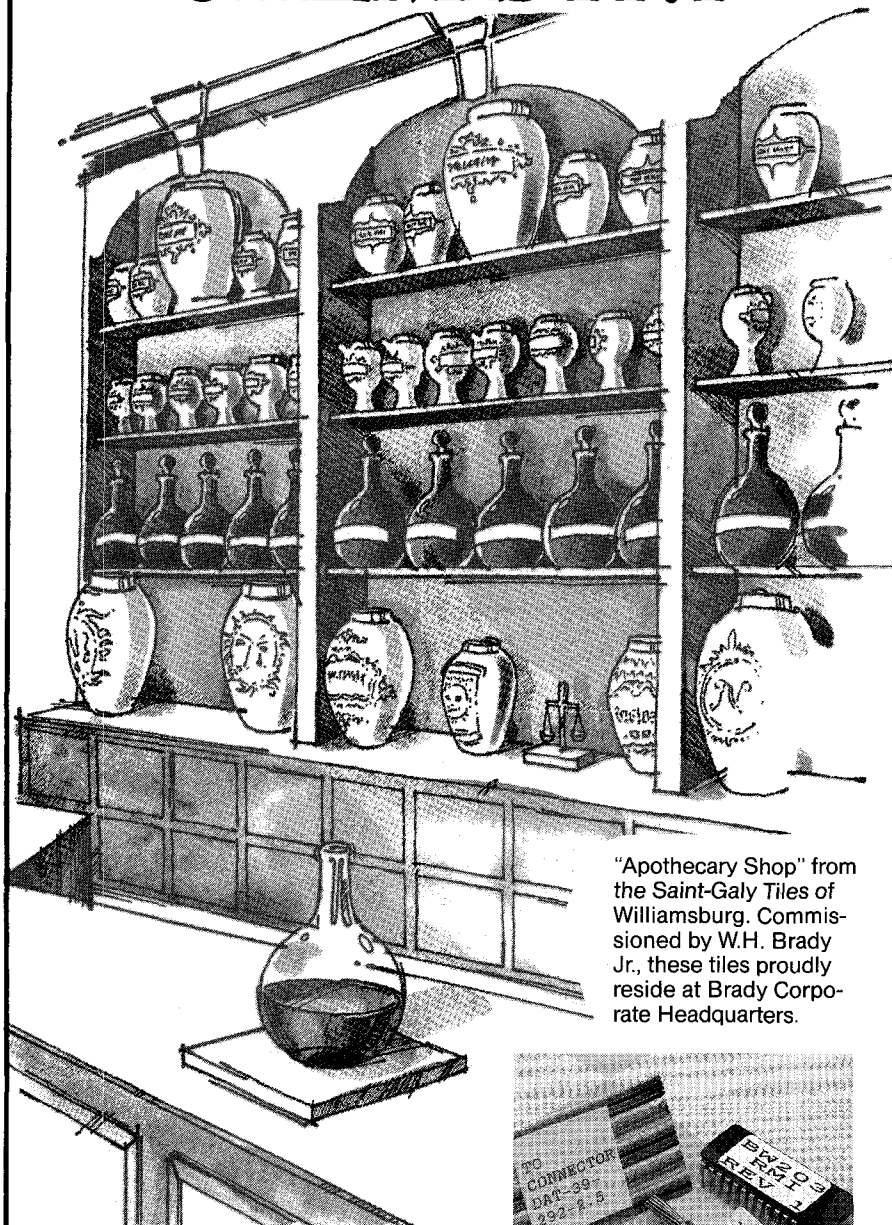
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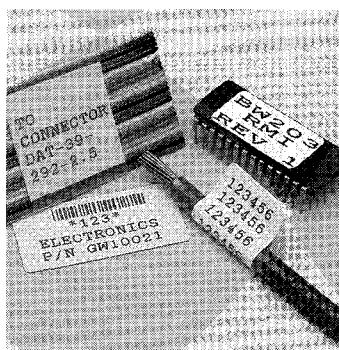
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## Mr. Wagner Replies

Dr. Maddox's points about his organization's rank and file are noted, but my point concerned the agenda of AU's leadership, not the habits of the citizens who respond to its fundraising letters.

Americans United for Separation of Church and State began as Protestants and Others United etc., its main purpose back then being to combat a bill that would have provided some relief for Catholic parents who have to pay twice for education if they opt for church schools. It also opposed the Supreme Court's *Everson* decision, which, while establishing much of the rhetoric later used in decisions less friendly to religion, nonetheless deemed it not necessarily unconstitutional for children in church schools to use public school buses.

After the 1958 Papal Conclave (the one that elected John XXIII), PAOU filed a formal complaint with the State Department seeking to have an American cardinal stripped of his U.S. citizenship—for voting in a foreign election.

The measure of the organization's present positions can be taken by the fact that Secretary Bennett's eminently cautious proposals—teaching the actual role of religion in American history, and teaching the Western moral consensus in a nonproselytizing way—struck Dr. Maddox as an “injudicious effort to mix church and state.”

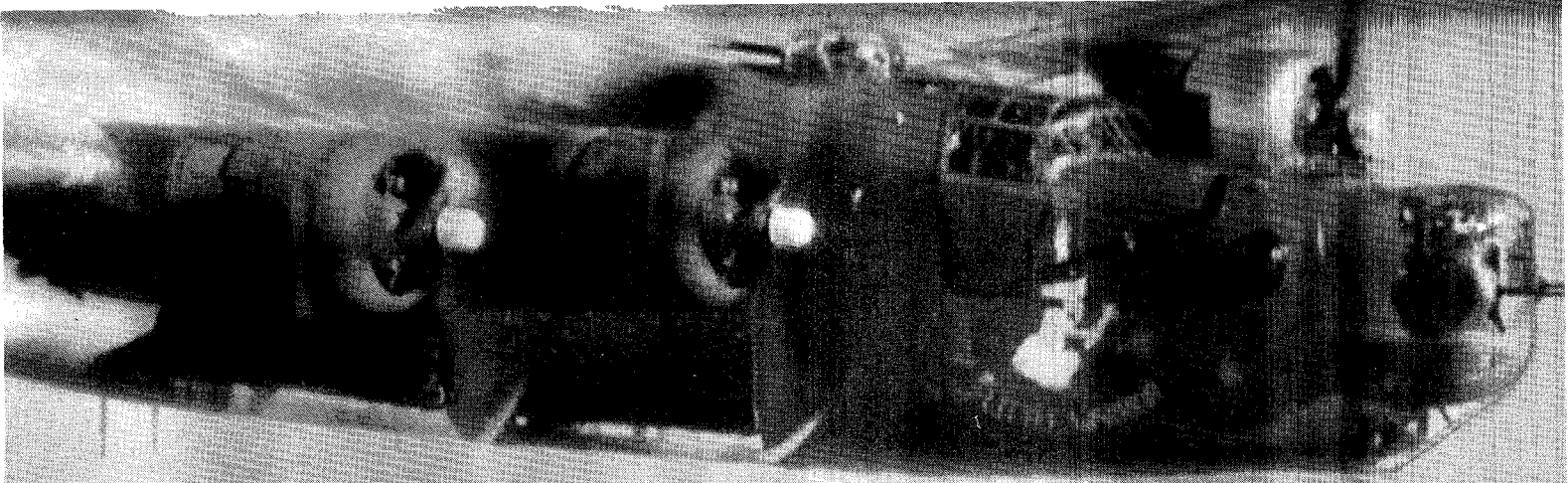
## Creeping Socialism

I can hardly believe I read it in *NR*. Because the “legal team” defending Raymond Donovan “ingested” \$13 million in two and one-half years, you propose that taxpayers absorb some of that cost, effectively socializing the bloated legal business [“The Week,” June 19].

How big was the “team”? Ten people? Each one, then, “ingested” \$1.3 million, or \$520,000 a year. Can you really be suggesting that citizens subsidize that kind of profiteering, even at a “reasonable scale” (what “scale” do you think legislators, many of them attorneys, will find “reasonable”)? Aren't you the ones who assert that “when you make something profitable, you get more of it”?

Donovan, et al., now found innocent, did suffer financial injustice at the hands of the prosecution, it seems. But that's only part of the problem. More important is the litigation mess, partly caused by enormous legal fees. This appetite has to be brought under control. If you like the post office and socialized medicine, you'll love subsidized attorneys.

Elizabeth Lonon Erickson  
Sunnyvale, Calif.



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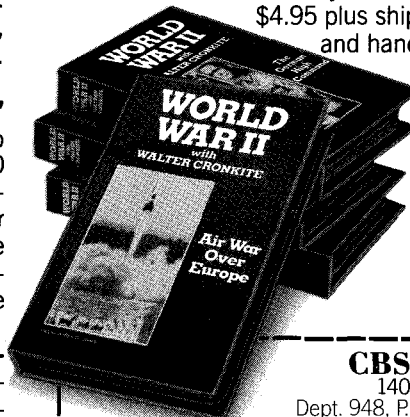
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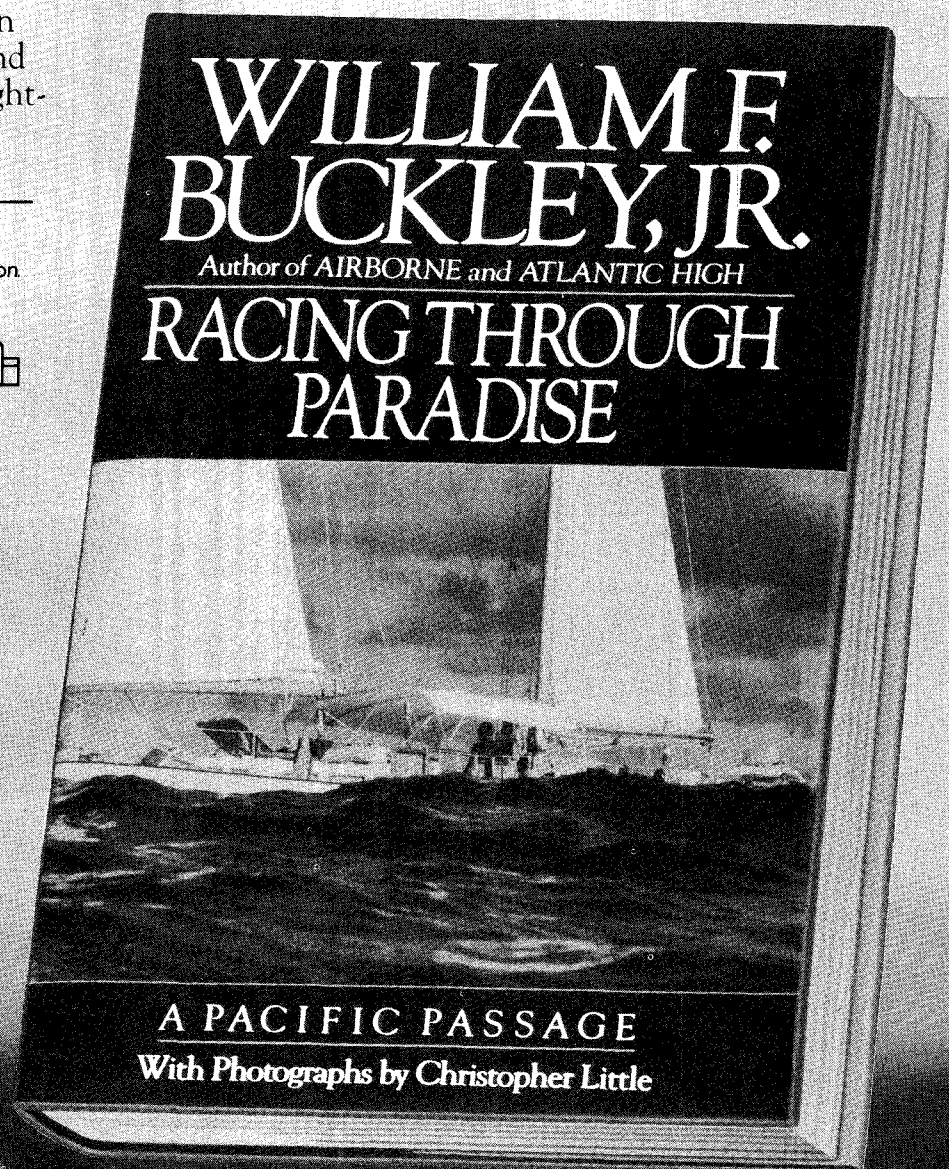
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—Publishers Weekly



# FOR THE RECORD

What's the overall impact of Iran-Contra hearings, prior to **North, Poin-dexter**? *New York Times*/CBS poll shows public evenly divided: 43 per cent think the hearings "are only for show," 43 per cent believe they are "producing new information." **Kevin Phillips** tends to agree with Democrat **Ben Wattenberg** that they may even be a plus for Administration. They draw attention to seven-point rise in support for Contras since January. . . . Democrats in Senate wary of dismissing **Ronald Reagan** as political force just yet. Says **Lawton Chiles** (Fla.): "A lot of people are saying 'Ho hum, is this all?'" Says **Frank Lautenberg** (N.J.): "You don't dare write this President off. [But] his political value to others is damaged beyond repair." . . . Their Republican colleagues in the House are less sure. **Vin Weber** (Minn.): "It's bleeding him." **Guy Vander Jagt** (Mich.): "That daily erosion is going on." . . . Some Republicans have come out fighting. Rep. **Bill McCollum** (Fla.) took advantage of **Elliott Abrams**'s testimony to call attention to support for Salvadoran Communist guerrillas by certain members of Congress: Democratic Reps. **John Conyers** (Mich.), **Mervyn Dymally** (Calif.), and **Patricia Schroeder** (Colo.), who have signed letters for or otherwise helped raise funds for New El Salvador Today and Committee in Solidarity with the People of El Salvador (CISPES), which support the guerrillas. "Since the Communist guerrillas in El Salvador are trying to destroy a democracy we strongly support," said McCollum, "it seems to me that the fundraising activities of these congressmen are very wrong." . . . At the White House, new Communications Director **Thomas Griscom** plans to appoint a USIA officer whose specific job will be to promote Contra policy. . . . Six weeks into the Contra hearings, liberal columnist **Mary McGrory** has had it. "Congress-baiting," she asserts, "may have



reached a new level with the Reagan Administration." What touched that one off was Oliver North's choice of a very tough lawyer.

**Evans & Novak** report White House will "come out of the trenches" and confront Congress on constitutionality of 1973 War Powers Act. Attack, which is backed by State Department legal experts, and by former Yale Law School dean and former LBJ Under Secretary of State **Eugene Rostow**, would center on **Claiborne Pell**'s resolution specifically requiring Reagan to admit relevance of War Powers Act to Persian Gulf situation. Chances of passage, say E&N, are slim, chances of an override nil. . . . While the House passed its \$1-trillion budget, the margin was surprisingly slim, 215 to 201. Observers feel the President's new offensive against big spenders in Congress is having some effect. . . . Incidentally Reagan defense spending is up over **Carter**'s but not that much. The U.S. is now spending 27.6 per cent of budget on defense as against 23.6 per cent in Carter years and 46 per cent in **Kennedy** years.

*Washington Post* columnist **David Broder** attributes seven-point **George Bush** drop in latest polls to impact of Iran-Contra affair. Latest *Washington Post*/ABC figures are: Bush 35

per cent, **Robert Dole** 28, and **Jack Kemp** moving into two digits with 11 per cent. . . . Among Republican House members, Bush gets 46 endorsements to 21 for Kemp and seven for Dole. . . . Dole aides figure Dole's 50-second debates with **Ted Kennedy** five times a week over 290 Mutual Broadcasting stations are worth about the equivalent of \$1 million a year in paid advertising. The show will end in September when Dole formally announces. . . . According to **George Will**, **Jeane Kirkpatrick** will decide whether to make a presidential bid when she returns from France, where she is finishing a book this summer.

London bookies are giving 7 to 2 odds that **Maggie Thatcher**'s Tories will win the next election four to five years hence. . . . Australian Prime Minister **Bob Hawke**, also looking for a third electoral victory, has muted the nuclear issue, played up his alliance with the U.S., and stands good chance of being returned on July 11. . . . Brig. Gen. **Rafael del Piño Diaz**, the Cuban general who recently defected, says ten thousand Cuban troops have died in Angola. . . . *Glasnost* worked in Riga, Latvia, when an estimated three thousand Latvians gathered at Monument of Freedom to honor fellow countrymen deported to the USSR by **Stalin** in 1941. Police took photos of demonstrators but did not interfere. . . . *Glasnost* was less apparent in Poland, where official news agency PAP deleted large segments of Polish bishops' statements on Pope **John Paul II**'s visit, including John Paul's assertion that every Pole should have the right to participate without discrimination in all aspects of society, including politics, and to express "rightful opposition." . . . Right the first time: State Department spokeswoman **Ruth van Heuven** reports five of Soviet families that returned from States to Russia last fall have since come back: Among other things, their children couldn't adjust to Soviet ways.

*Washington Post* columnist **Haynes Johnson**, pondering how far journalists should go in snooping on private lives of public figures, says he will be guided by **Lady Randolph Churchill**'s adage: "Just don't do it in the streets and frighten the horses."

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# THE WEEK

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□ Mr. Justice Brennan says the U.S. Constitution should apply to outer space, i.e., where it is routinely interpreted by Justice Brennan.

□ Congresswoman Pat Schroeder has more or less entered the race for the Presidency. She thinks the country is ready for a Colorado Democrat who has never met Donna Rice. Let's tune in on Mrs. Schroeder as she explains her positions on the issues to *The Village Voice*: "We're at a crossroads in history people should be paid what they are worth restructure our nation's schools reverse the arms race nuclear weapons must not proliferate on this planet superpowers contain and cut back their arsenals nuclear test ban re-establish our commitment to preserving the environment." She thinks the country is ready for a Colorado Democrat who has never met Donna Rice or a new idea.

□ Senator Warren Rudman of New Hampshire, a fair-to-middling legislator as things go these days—he is co-sponsor of the Gramm-Rudman budget-cutting bill—may be in a spot of welfare-state trouble. There's an agency called the Economic Development Administration, the mission of which is to pump federal cash into areas with high unemployment. The head of it, whose name is Orson Swindle, yes, that's right, charges that Senator Rudman got Dartmouth a \$15-million grant. Unemployment in the Hanover area is 3 per cent. Rudman says New Hampshire is entitled to its place at the trough, and he just got an honorary degree from Dartmouth, no doubt coincidentally, the citation for which said nothing about any recent special services.

□ Irving Kristol doesn't think there's going to be a liberal comeback no matter who wins in 1988. In an important essay published in the June 14 *New York Times Magazine*, he argues that Ronald Reagan "has vigorously aligned himself with a basic conservative trend that has established new parameters for American politics, regardless of how people may vote in any particular election. This trend incorporates low marginal tax rates, a slower rate of growth in government spending, an explicit endorsement of 'traditional values,' and a more assertive (as against reactive) foreign policy." Kristol says that there is no

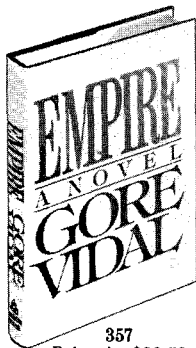
plausible liberal economic agenda, that the ideas are coming from people like Charles Murray and George Gilder, and that the sexual revolution is over, with an assist from AIDS. Happy New Year.

□ Early stories on the Italian elections indicated that since the Socialists had improved their position more than any other party, their leader, Bettino Craxi, might be called upon to head the next government. Craxi had managed to hold onto the prime ministership for three and a half years until the Christian Democrats broke up the ruling coalition this spring, precipitating the elections. The Socialists' share of the vote was 2.9 percentage points higher this time around than in the last elections, in 1983, whereas the Christian Democrats were up only 1.4 points. Still, that leaves the Socialists in the number-three position after the Christian Democrats (34.3 per cent of the vote) and the Communists (26.6 per cent). Eight minor parties split the remaining 25 per cent of the vote. It takes the Christian Democrats plus the Socialists, plus at least three minor parties, to make one highly unstable Italian government. The present maneuvering is over which party should lead the new coalition. The Christian Democrats say they should: After all, they have the most seats in parliament. But the Socialists argue that the electorate has (if you add together the Communist, Socialist, and leftist splinter parties) voted for a government of the Left. Possible solution: a constitutional amendment along West German lines that would bar representation in parliament for a party that wins less than, say, 5 per cent of the vote. Problem: Italians aren't Germans.

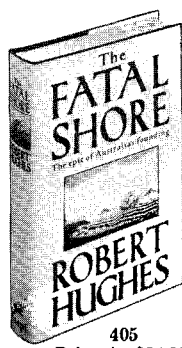
□ Before we get back to huffing and puffing over the newest dirt coming out of the Iran-Contra hearings, we should take a look at just what the Contras and, indirectly, their American supporters have been up against. In an attempt to undermine the broad popular support the Contras enjoy in southern Nicaragua, the (Communist) Sandinista government has been making war against its own people. According to the *New York Times*, in recent months the Sandinista army has rounded up more than six thousand civilians living in the strategic southern war zone and forcibly moved them to filthy and crowded detention centers. Where the Sandinistas have thought forced marches and con-

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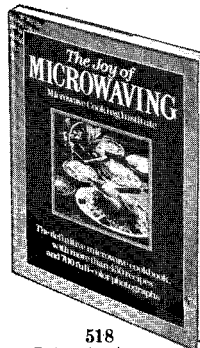
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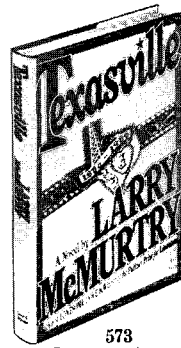
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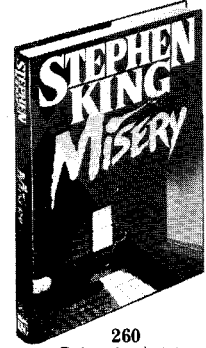
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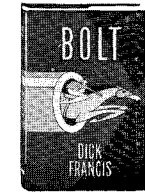
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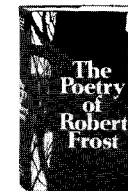
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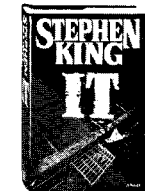
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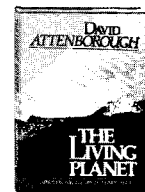
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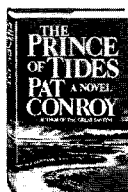
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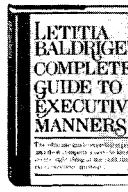
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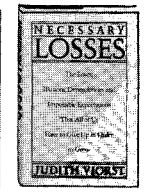
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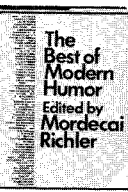
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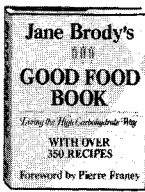
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## LETTER FROM WASHINGTON

**R**EPRESENTATIVE Pat Schroeder says that if she decides to run for President, hers will not be a symbolic candidacy. "Why would it be symbolic?" she asks defiantly. "I have a platform. I'm in the Congress. I'm the senior woman." Accordingly, she has not actively courted the women activists who would want her to be a mere token candidate.

Mrs. Schroeder's refusal to court the women's movement stems partly from her lingering bitterness over its support of Geraldine Ferraro in 1984. Mrs. Schroeder was "furious" at the Ferraro choice, says a Democratic women's-issues strategist, because she saw herself as better qualified.

Paradoxically, despite Mrs. Schroeder's aloofness, many feminist leaders are rounding up support for her. At a recent acrimonious meeting of women political activists here, Bella Abzug denounced those in the women's movement who have not yet committed themselves to the eight-term congresswoman. Notably, Mrs. Abzug criticized NOW President Eleanor Smeal. Mrs. Smeal herself has decided not to seek re-election at the NOW convention in July and is considering becoming a token woman presidential candidate should Mrs. Schroeder decide against a run.

Meanwhile, there is the Hollywood Women's Political Committee, which, with the assistance of Barbra Streisand, raised \$2 million last year for political candidates. With its help, Pat Schroeder may indeed become Snow White to the Seven Dwarfs.

der may indeed become Snow White to the Seven Dwarfs.

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Count on Pakistan to get its military- and economic-aid package renewed this year without having to divulge how advanced its nuclear capabilities are—although President Zia, in a recent television interview, stated flatly that his nation has neither a nuclear device nor the components in place to assemble one. U.S. aid to Pakistan runs out at the end of this year, as does a waiver exempting the country from complying with a nuclear non-proliferation amendment. A move by Senator Glenn to withhold military aid unless Pakistan assures the U.S. it cannot build the bomb is going nowhere. "The nuclear issue is very serious, but look at the other side of the coin," says a ranking Democratic insider. "Pakistan has to deal with the refugee problem and is a frontier against the Soviet Union. What is better for us? It is better to give them aid." Amen.

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California, New York, and Texas have the largest and most powerful delegations in the House of Representatives, with 45, 34, and 27 members respectively. Notwithstanding its lower numbers, Texas for many years has led the three in influence. Now the California delegation is vying for the top power spot.

The sheer size of the California delegation—more than 10 per cent of the entire House—helps give it clout. Of the 45 California members, 27 are Democrats, and they are picking up seniority and committee chairs at an

impressive clip. In fact, California Democrats hold 27 committee and subcommittee chairmanships, with some holding more than one chair.

Of Texas's 27 representatives, 17 are Democrats, and they hold nine committee and subcommittee chairs, including two of the most powerful, Agriculture and Government Operations. Also, the House's nerve center, the Speaker's chair, is occupied by Fort Worth's Jim Wright. Eighteen-term House veteran Jack Brooks, dean of the Texas representatives, says the delegation is stronger now than at any time since the days of the legendary Sam Rayburn.

Most think Brooks's claim is braggadocio. The recent massive downturn in the Texas economy is translating into a loss of political power in Congress. In the past, out-of-state House members followed the practice of going ritually to their Texas colleagues seeking introductions to wealthy oilmen who would then make hefty political contributions. But a drop in oil prices means that Texas's fund-hunting grounds are turning arid, leading the political itinerants to search elsewhere—principally California.

While Texans are not openly battling to keep their privileged position, Speaker Wright carefully picked a non-Californian, Beryl Anthony Jr. of Arkansas, to succeed Californian Tony Coelho as chairman of the Democratic Congressional Campaign Committee this year. (Coelho moved up to succeed Tom Foley of Washington as whip, Foley having become House Majority Leader.) No way the wily and proprietorial Speaker from Texas would willingly make California's ascent any easier. —CATO

centration camps did not go far enough, they have actually taken up arms against the innocent villagers. The Puebla Institute, an American human-rights organization, reports that Nicaraguan troops have attacked villagers, their homes, and their farms "indiscriminately and without warning," dropping grenades and shooting rockets out of airplanes and helicopters. Another group, Americas Watch, charges a Sandinista army commander with raping a 15-year-old village girl. The reports of Sandinista atrocities keep coming in.

□ Willy Brandt, a landmark on the West German political scene for thirty years, has been forced into retirement a year ahead of schedule. He is the last of the first wave of détenteists to leave the scene of the

crime. Brandt first rose to international prominence as the fiercely anti-Communist mayor of Berlin in the late Fifties; in 1961 he castigated President Kennedy for his inaction when the Wall went up. Over the course of the Sixties, however, his anti-Communism softened, and it was he who led the switch from the cold war to the era of détente with his Ostpolitik, which he put into effect as soon as he was elected chancellor, in 1969. In the process he legitimized Soviet domination of East Germany by normalizing relations and granting the Communists loans and subsidies without any quid pro quo. Driven from the chancellorship in 1974 by the revelation that one of his top advisors was an East German spy, he retreated to the chairmanship of the Social Democrat-

ic Party. Ever since, he has drifted further and further left, calling for transfers of wealth to the Third World and fighting Helmut Schmidt's request for NATO deployment of Pershing II and cruise missiles. The breakpoint came this spring. When Brandt appointed his radical wife's protégée (not a member of the party, nor even a West German citizen) as SPD spokesman, party moderates seized the opportunity to oust him. Good riddance.

□ 1986, designated the "Year of Peace" by the United Nations—you *do* remember the United Nations?—had 36 wars with an estimated three to five million dead.

□ Representative Gerry Studds spoke before a gay group at Dartmouth, and was asked whether he is a practicing homosexual. He said no, he isn't practicing any more, because by now he is quite good at it.

□ Tammy Faye Bakker shopped at a K Mart this week, but was otherwise unchanged. She bought costume jewelry and cosmetics.

## Memo to the Senate

**G**ENERAL BERNARD ROGERS, after serving as commander of NATO for eight years, has stepped down, and he did not go gentle into that good night. General Rogers calmly told a reporter from the *Washington Post* that the Reagan Administration's push for a fall Summit and a pact stripping Europe of intermediate- and short-range missiles was ill-timed and ill-advised. "When the future of Western Europe is at stake, I don't know why it is so necessary . . . to rush into this, other than the fact that certain Administrations are going out of existence." George Shultz, the chief rusher, called Rogers's remarks "ridiculous" and "incorrect," whereupon Rogers repeated all of his objections to the *Wall Street Journal* and the *New York Times*. The fracas marks one of the strongest attacks to date by a public figure on the impending Reagan-Gorbachev deal.

General Rogers made three points:

—"There has been great pressure by the United States on the West Europeans." In other words, we have twisted their arms. Shultz responded that we have been offering our allies "intense consultation," but Rogers knows the score. When the appeal for a common NATO position is accompanied by indications that Washington and Moscow already see eye to eye, the groundlings catch on. Helmut Kohl is in no position to stand up to the United States *and* the Soviet Union, and indeed he (and his peers) have not.

—The missiles we propose to remove were installed for a reason: to "fill a gap in our spectrum of deterrence." That gap was the result, not of the in-

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## TV Distractions

Next month I'll switch from daytime soaps,  
As John and Ollie test the slopes  
Now super-slick, thanks to Miss Hall,  
Whose testimony cast a pall,  
Although the panel seemed to be  
More taken by her thigh and knee.

W. H. VON DREELE

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troduction of the SS-20, but of the conventional preponderance of the Warsaw Pact. "The SS-20 coming along in the same time frame just made it [the decision to deploy Pershing IIs and cruises] more urgent." If the missiles go, the preponderance, and the gap, remain.

—You ain't seen nothing yet. Gorbachev "has got us just where he wants us. He's got all the initiative. And he's starting us down the slope toward the de-nuclearization of Western Europe." The first item on his agenda, thinks Rogers, will be the aging Pershing I's. Next: an offer to scrap tactical nuclear-capable aircraft. And what grounds will we have for resisting? After creating the climate of superpower good will, how can the Administration turn around and buck the weatherman?

"I personally think," Rogers said, "the day is coming that [the Soviet Union] is going to test us someplace—northern Norway, eastern Turkey, Hamburg, or Berlin—and just see what the reaction would be. I'm not sure . . . that NATO as a body would react to that test."

American military men are famously timid about expressing disagreement with wrong-headed policy. In a civilian society, that is as it should be. For General Rogers to give such a valedictory blast is a sign of special concern, on the part of a man who, for eight years, has been in an excellent position to know what he is talking about. The Senate should be clipping and saving the Rogers interviews. They will come in handy when the INF pact comes before it.

## Patrolling the Gulf

**F**ROM THE VERY beginning of the American Republic we have struggled to bridge a paradox. On the one hand, America is geographically an island, looking east and west upon vast oceans. From the very start, America has known that its economic and strategic health depended upon access to blue water. British foreign policy has always operated on the basis of one axiom: No major European ruler could be allowed to control the Channel ports of the Continent, not Louis XIV, not Napoleon, not the Kaiser, not

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## SDI Watch

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**I**N THE LAST "SDI Watch" [May 22], *NR* disclosed three major errors in the American Physical Society's report on the future of directed-energy weapons in SDI. The APS report overestimated the power needs of laser-equipped satellites by a factor of one hundred, and of neutral-particle-beam weapons by a factor of thirty; it also appeared to ignore recent developments in chemical lasers. Since then, more boners have turned up—it's no exaggeration to say that the APS study is riddled with them. As Frederick Seitz, former president of the American Physical Society, put it: "I know of no precedent, in my long association with the American Physical Society, for the issuance of so seriously flawed a document as this, under the aegis of that Council." Herewith, two examples:

1. The APS report states that an effective countermeasure the Soviets could use would be to spin their ICBMs so as to distribute the heat of the defending laser beam over a larger area and weaken its effect. This suggestion is discussed by the APS panel with all seriousness under the heading of "Booster Rotation"; it can also be found in the "technical" discussions of missile defense distributed by the Union of Concerned Scientists. Lowell Wood, O Group Leader at Lawrence Livermore National Laboratory, says that to propose spinning boosters as a countermeasure is the kind of thing a bright physics undergraduate might come up with, but five minutes of thought by anyone who actually knows something about missile design is all it takes to shoot this suggestion down.

As it happens, defensive lasers are being designed to melt or punch a hole through the skin of a Soviet ICBM in a second or less. Therefore, the ICBM would have to rotate quite rapidly, at least once a second, to spread that laser energy around its circumference. But if an SS-18 rotated at 1 rps, centrifugal force would cause the liquid fuel to pile up against the walls of the missile's tank and interfere with combustion. The spin would also exert extra force on the walls of the tank, which would have to be strengthened, at a cost of added weight and reduced payload. Circumventing these problems would require a major redesign of Soviet rockets at considerable expense, for a very modest gain.

The report also suggests that the Soviet ICBM arsenal could be made capable of spinning by "retrofit"—i.e., by modifying existing ICBMs rather than building new ones. Again, according to Wood and Greg Canavan, a physicist at Los Alamos National Laboratory, "this suggestion, that a Soviet SS-18 could be

modified to spin at the required one or more revolutions per second by retrofit, reveals a lack of even a minimal understanding of missile technology."

2. The biggest boner found thus far in the APS report was uncovered by Russell Seitz of Harvard University, in a discussion of laser mirrors in space. This section of the APS report begins by mixing the cost of the Hubble Space Telescope (\$1.2 billion) with the cost of the seven-foot mirror in that telescope (\$5.5 million) and saying the mirror costs \$1.2 billion—a 218-fold error.

The report then gives a formula for determining the cost of the very large mirrors needed by SDI. An innocent who had only this formula and the other numbers in the report to go on would calculate that a 25-foot SDI mirror will cost \$40 billion. But actually, a 25-foot mirror is being built by astronomers at Kitt Peak Observatory for \$25 *million*, not \$40 *billion*. Another exaggeration, this time by 1,600-fold.

Russell Seitz also points out that the APS report gives a formula for determining the time required to manufacture these mirrors. The formula predicts that the Hubble space mirror will take two centuries to make. This is nonsense; indeed, it is stated elsewhere in the report itself that the Hubble mirror actually took six years to finish (even at the leisurely NASA pace).

On the other hand, according to the same formula, the so-called "fighting mirrors" needed for another kind of laser defense (with the lasers on the ground and only the mirrors in orbit) will take six *seconds* each to fabricate. This formula is presented by the APS panel as "an empirically derived equation."

Errors of this sort, if they occur in the first place, are normally caught and corrected by sending the paper to impartial referees who are experts in the subject matter. But the APS Council chose to exempt this SDI report from the process of criticism that every other APS report is subject to. The council offered, as a substitute, the endorsement of a review committee of six eminent scientists. However, Wood and Canavan, who know the members of the review committee, have testified that not a single one of them has worked on the leading SDI technologies in the last 25 years, and not a single one has first-hand knowledge of the main technologies involved in SDI. Furthermore, two of its six members have publicly expressed their hostility to SDI, and two others are known to have expressed deep reservations about SDI in private.

With juries like that, who needs prosecutors?

Hitler. American foreign policy has always demanded freedom of the seas: 1812, the expedition against the Barbary pirates, Remember the *Maine*, our entry into World War I (no longer “too proud to fight” after Germany announced unrestricted submarine warfare), and our hardening stance in 1941 in the face of Japan’s grab for hegemony in the western Pacific. The common theme here is: Threaten the sea-lanes, and the island republic goes to war.

And thus we come to the Persian Gulf today, and President Reagan’s policy proclamation that we will keep it open, that we will keep the Kuwaiti and other tankers sailing, and that we will do it with firepower if necessary.

Now, from the beginning of the Republic there has also been a contrary tendency, perhaps because we are, yes, an island. From the start, America has been isolationist in sentiment, inward-looking, as articulated in the Farewell Address of the first President, in the Monroe Doctrine, and in the Senate’s rejection of Woodrow Wilson and the League of Nations. We very unwillingly went “over there” in two world wars. In the 1940 election, both FDR and Wendell Willkie ran as peace candidates, Roosevelt telling us that he had said it “again and again and again: Your boys are not going to be sent into any foreign wars.”

An internationalist and interventionist consensus emerged after World War II under Truman, Acheson, Kennan, Marshall, and others of that era. We rebuilt Europe, flew over the Berlin blockade, organized NATO, and saved Greece and South Korea. But, in retrospect, this looks to be an aberrant period in American history, an internationalist blip on an isolationist curve. Dean Acheson thought that he was present at the creation, but history is moving on.

The United States does not need Persian Gulf oil. Europe needs Persian Gulf oil until nuclear power takes over. The *Stark* debacle concentrated the American mind—on the issue of military incompetence, to be sure, but also on broader questions. Do American sailors really have to die in order to secure petroleum for Paris, Brussels, Tokyo?

At the very minimum, if we are going to ensure the

freedom of the sea-lanes in the Gulf—which, after all, is thousands of miles off the coast of New Jersey—then there are going to have to be British, Japanese, German, Italian, and other fighting ships out there as well. Otherwise we are not going to stay there, not for very long anyway, and shouldn’t. From across the ocean, it’s hard to care very much if they have to read by candlelight in Copenhagen.

## Ollie North: Hearing Tactics

**T**HE MANEUVERING over the preliminaries to Lieutenant Colonel North’s Iran-Contra testimony highlighted a key aspect of the process. Colonel North’s motives in delaying his appearance before Congress were mainly histrionic. But then, so were Congress’s motives in calling on him.

Congress sought, as with all previous Iran-Contra witnesses, to ask Colonel North preliminary questions in private. This ordeal requires the witness to talk, under oath, for dozens of hours, to a team of committee lawyers. The risk the witness runs is perjury—that something uttered in the hundreds of pages of pre-hearing testimony might not square with the hundreds of pages of testimony given in public, under the klieg lights’ glare.

Congress’s risk in letting Colonel North forgo the dress rehearsal is that he then gains a measure of control over the performance. He knows what he will say; they do not. This can lead to unpleasant surprises, as King Claudius discovered. At a minimum it gives Colonel North, not his interrogators, the dramatic advantage.

For the hearings are primarily events of the stage, as showy—and, finally, empty—as *Cats* or *Les Misérables*. The Democrats in Congress want, by hook or by crook, to put the Administration and the Contras in stocks and pillories. Men of good will resist.

Legally, Colonel North may not be able to avoid private examination without being charged with contempt of Congress. Theatrically, he had every reason to try.

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## Isolation, Anyone?

Those kings and counts who took command  
Of armies in the Holy Land  
When Suleiman appeared about  
To lock the Europeans out  
Make modern counterparts, whose oil  
Is under siege from Persian soil,  
Seem wimp-like as they rush to scam  
And leave the job to Uncle Sam.

W. H. VON DREELE

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## Partisan Budget

**C**OMPLAINING ABOUT the United States budget was more fun for the Democrats before they controlled both Houses of Congress. Now, voters are likely to hold them responsible for any new taxes. President Reagan had proposed only a modest \$19-billion slowdown in nondefense spending for 1988, but the yearly savings would have grown to \$55 billion within five years, narrowing the budget deficit significantly. Congressional Democrats instead propose a \$19-billion increase in taxes for now, with much greater ambitions for the future. To minimize the voters’ revenge, Dem-

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## An Introduction to the Attorney General

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**A**S I WAS LYING AWAKE at the office last week, I heard Dorothy calling to me and Toto, saying, "Come on. We must hurry to the Emerald City. The polls will be closing soon."

She was right. It was late. I had hoped to vote, if not often, at least early, to avoid being influenced by the news media.

So off we went, the three of us, I with my copy of NATIONAL REVIEW, Dorothy carrying *The American Spectator*, and Toto nursing lovingly an endless volume of *Mandate for Leadership*. But before we got to the city, we came upon a candidate seeking our support. Senator Edward M. "Teddy" Strawman said he needed our help, because he wanted to be President but he had no brain. We stopped and listened to him for a moment. Sure enough. He told the people gathered around him he wanted to raise the minimum wage, but that a raise would not cause any unemployment. And then he was asked why he wanted to be President, and he had no answer at all. We came to the conclusion that in fact he had no brain, and we suggested that he accompany us to the Emerald City to vote for our candidate.

We hadn't proceeded very far when we came upon another candidate, Senator Gary Tin, who, apparently to avoid an unseemly expression of gender preference, had shortened his name from Tinman. Senator Tin said he needed our help because he wanted to be President, but he had no heart. Pensively, we listened to him as he told the people of New Jersey that he'd rather be in California. We came to the conclusion that indeed he had no heart, and we suggested to him that he accompany us to the Emerald City to vote for our candidate.

Off we went, and came upon, as you all can now guess, a third creature. The cowardly donkey said he needed our help because he too wanted to be President. We listened to him as he said we shouldn't develop SDI because he was afraid it might be destabilizing and provoke the Soviets to a pre-emptive first strike. He said he was afraid to help the freedom-fighters in Nicaragua because the struggle might turn into another Vietnam—and he was afraid even to remember our involvement in Southeast Asia, although he was quick to blame America first for the holocaust in Cambodia. We even watched his handling of the highway-bill veto, on which he voted, almost simultaneously, present, yes, and no. We suggested that he too join us on our journey to the Emerald

City, and we discovered later in the course of our travels that he was afraid of the dark at night, and afraid again of the light in the morning.

It was late when we finally reached the city, but we had just time before the polls closed to visit with one of the nation's foremost wizards of media imagery, Dr. Russell Kirk (no relation). Dr. Kirk asked our companions if they could read. They said no. He said learn. Then he gave each of them three books to read: *How to Win Friends and Influence People*, *A Disquisition on the Art of Flattering Men, Women, and Children*, and *Beyond the Pleasure Principle: A New Agenda for the Democratic Party*. It was now very late. The polls were almost closed—as was my office.

Well, we went to the polls, and the rest—if not the preceding—is history, although for some of those candidates and their colleagues it has remained a disturbing dream. For us here, for our country, and for the free world, the election of Ronald Reagan provided the definitive answer to the question, "Did you ever see a dream walking?" One of the most significant aspects of this dream-come-true was President Reagan's appointment of our speaker, first as Counselor to the President, and then as our current Attorney General. Said Attorney General needs no introduction to you, which is why, perhaps, I have failed to provide one.

Suffice it to say, he is all brain, all heart, all courage, as those who have tangled with him, as well as those who have observed his tangling, can testify. He has tangled with the Senate, and with members of the House of Representatives. He has tangled with the media, and even with the Supreme Court. Indeed, we might call him the Compleat Tangler. If he has any faults, it is that he is not at all attentive to his personal interests, and that is not a trait that Washington has much understanding of.

Ladies and Gentlemen: It is a great privilege for me to introduce to you one of the heroes of the Reagan Administration, the Attorney General of the United States, the Honorable Edwin Meese.

—DANIEL OLIVER

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*Mr. Oliver, a former editor of NATIONAL REVIEW, is Chairman of the Federal Trade Commission. Mr. Meese was being introduced to the annual meeting of the Philadelphia Society, which meeting will be covered in an upcoming issue of NR.*

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ocrats have to cajole the Administration into going along with the new tax, just as they lured Howard Baker's White House staff into protectionist gestures that thumped the dollar and raised interest rates. This won't be that easy.

Congressional Democrats can't begin to agree on how to raise taxes, yet they still hope to blackmail the President into endorsing a blank check. If President Reagan won't agree to unspecified taxes, Democrats threaten to cut defense by an extra \$12 billion instead. How are they going to explain *that* to the voters? Congress has already agreed that a certain amount is necessary for defense, which means it agrees that \$12 billion less would be dangerous. How could adding an extra 2 per cent to federal revenues possibly be so important that congressional Democrats would risk national security?

Anyway, the hypothetical \$19 billion from higher tax rates is trivial compared with the actual revenue gains from *lower* tax rates. In the first seven months of the current fiscal year, tax revenues were 13 per cent higher than last year. The 1987 budget deficit is running at least \$50 billion lower than the 1986 deficit, a reduction of almost 25 per cent. Next year, the Treasury is likely to be flooded with unexpected revenue, since a lot of income will doubtless be deferred until January, to get the lower 1988 tax rate. The main hope of liberal Democrats for recapturing the White House is to derail this powerful economy that keeps generating millions of jobs each year, raising capital gains and profits, and thus enriching the Treasury at a record pace. There are some taxes that would actually yield nothing except stifling the incentive to produce, which is presumably why key

Democrats favor surtaxes and oil import fees rather than less damaging "sin taxes." The President's veto of self-defeating taxes is the surest way to keep those revenues pouring in.

## Goetz and the Future Of New York

**B**ERNHARD GOETZ was cleared on all the more serious charges stemming from his shooting of four hoodlums in the subway, and, like most such cases, his was decided, properly, on its particulars. If it has any implication for future cases, it's that jurors will be likely, given the lawlessness of New York City, to extend the same sort of presumptions to targets of crime that the judiciary has extended to criminals. From now on it may be tougher to convict any man who plausibly says he *thought* he was defending himself.

The Left attacked Goetz with a fury it wouldn't have felt toward Canty, Cabey, Allen, and Ramseur if they had robbed and killed him. Even Murray Kempton went off the deep end: "New York has been found guilty. . . . Law and justice have ceased to breathe as realities in this city." Yes, in a way: That's why Bernie Goetz thought he'd better carry his own protection.

Many blacks, especially those who had some personal acquaintance with the four hoodlums, took Goetz's side. But black "leaders," "spokesmen," and pundits were screaming about a new "open season on young black males." The sad fact is that the main thing young black males in New York have to fear is attacks by other young black males, not armed yuppies.

The Goetz case had enormous symbolic and emotional meaning for New Yorkers, all of it understandable. But that's hardly a sound basis for extravagant predictions. Anyone who seriously thinks Goetz's acquittal will produce a major change in the demographic patterns of criminal violence in New York is invited to call this office and place a bet.

## Olympic Stakes

**T**EN DAYS OF escalating street demonstrations and riots in major South Korean cities brought the first conciliatory gesture from the government of President Chun Doo Hwan. As we go to press, he has promised to release most of those recently arrested, to free opposition leader Kim Dae Jung, and to enter into talks with Kim Young Sam, his principal political foe.

Chun took power after a military coup seven years ago, but he had promised to permit the election of a successor next spring. The current rioting was touched



off by his decision, three months ago, to postpone the constitutional discussions that would set up the machinery for a return to limited democracy. Chun wanted the talks put off, he explained, until after the 1988 Summer Olympics, presumably to avoid the disruptions that a presidential election might bring. The problem was that no one believed him. The frustrated democratic forces in South Korea saw his action as just another way to remain in power. And they took to the streets.

Those Olympics, so important to South Korea's international prestige, may well be the reason Chun is now backing away from a direct confrontation with the people, rather than proclaiming a state of emergency and calling out the troops. Great delicacy is called for. South Korea, unlike the Philippines, is a developed country with a booming economy; but it remains part of a divided nation, with a well-armed and fanatical Communist enemy to the north. Not only must Chun convince his domestic critics that South Korea is moving toward democracy, he must convince liberal critics in the States, who see him as a typical strongman befriended by the Reagan Administration, another Marcos, another Pinochet. It is these critics in the academy, in the media, and in Congress who ultimately will decide whether American troops continue to patrol the 38th Parallel. Their concerns center always on what happens south of the 38th Parallel, never north of it.

## The Pope in Poland

**P**RIOR TO THE Pope's mid-June visit to Poland, a Solidarity leader expressed fear that the Vatican had made a deal with Poland's Communist leaders that might "sell Solidarity down the river." He needn't have worried. "Holy Father, Speak Out against Atheism and Communism" one banner implored, and Pope John Paul II did just that: praising Solidarity, pluralism, and human rights, and encouraging the Polish people to endure patiently and with faith the long struggle for freedom.

The Communist government responded to the public outpouring of support for the Holy Father and for Solidarity with angry words, tear gas, and surprise arrests, in a show of police force the *Washington Post* said was "unprecedented" since martial law was lifted in 1983. A delegation of senior Communist Party officials paid an unexpected visit to Vatican officials in Warsaw to register their distress at the Pope's outspokenness. In an official farewell ceremony, a visibly bitter General Wojciech Jaruzelski denounced "alien manipulations."

But Pope John Paul II is no alien, and the hope that he cherishes of a free Poland is already inscribed in the hearts of his countrymen. What the Pope's remarkable visit demonstrates is that power lies not

only with men who wield tanks and guns but with men who embody ideas, offer hope, and nurture the kind, stubborn, and generous faith that once aroused is not easily extinguished. The Pope's faith that one day, however distant, Poland will again be free is rooted in his faith in God. For, as he told Lech Walesa in parting four years ago, "As God's children, we cannot be slaves."

## Waldheim and the Pope

**T**HE VATICAN announced that the Pope would receive Kurt Waldheim on a state visit, and all hell broke loose. Jews charge that Waldheim is not morally acceptable as a world leader. Catholics reply that the Pope is a priest, and priests specialize in sinners. Both sides miss the point.

The Pope, in addition to being a priest, is a head of state. The Vatican's legions are small—a few Swiss guards—but it is a state nonetheless. When the Pope travels to another country, as he plans to travel to Austria next year, he accepts a certain diplomatic reciprocity. Waldheim, the president of Austria, had requested an audience, repeatedly. The Vatican decided to grant it.

The problem, really, is with democracy. If we concede the Austrians the right to elect their own leaders, we concede them the right to elect bad leaders. There are, by the way, world leaders whose sins are a lot fresher than Waldheim's, and who came to power without elections—and yet no one objects when the formal niceties are extended to them (the Pope recently spent a week by the side of General Jaruzelski).

State visits are not imprimaturs. As long as the Vatican keeps its categories straight, so should its critics.

## Fred Astaire, R I P

**O**NE CAN'T really say that one mourns the death of an artist who, like Fred Astaire, ended his career 18 years ago. Not since then had the camera viewed his body at dance: He had been dead ever since then, for all his fans—for all who have eyes to see. The mourning is a formality; the public is supposed to regret the death of anyone, at whatever age, who, at an earlier age, gave the world an enduring gift. One of the few reasons to feel gratitude to the twentieth century is that, for all time, viewers will be able to see the miracle of Fred Astaire. No one will know what it was like to hear Paganini or Liszt in concert, or Bach conducting his church choirs. Only the painters achieved that kind of endurance; and the composers, who, though they could not themselves play out for all eternity the notes they

conjured up, could rely on others to do so, leaving the sonatas of Beethoven as breathtaking today as when he played them early in the nineteenth century.

The moving picture makes the death of Astaire nothing more than a historical note, of no importance save to his family and special friends, who will mourn him as an individual. We—the world—who did not know him merely go through the motions, but we take the opportunity, on his death, to comment reverentially on his work. Baryshnikov, perhaps the greatest dancer of the time, pronounced wryly at a Hollywood *Festschrift* a few years ago that he and his fellow dancers “hated” Astaire—because he was a better dancer than anyone else. It is not a secret, but then neither is it widely known, that Astaire’s dancing was anything but an act of improvisation. Every step was carefully, fastidiously, mercilessly rehearsed. All that joy represented crushing hours of work, self-discipline, the artist’s insistence on perfection. As a human figure, Astaire was genteel, appealing, modest, gently romantic. When he sang, the audience would gasp quietly when the music called for a note unusually high, or unusually low: Would his meager voice make it? It always did, and—strangely—wonderful melodic music ensued, such that Irving Berlin pronounced Astaire not merely a great dancer but, incredibly, a great singer. Which he wasn’t. What was meant by that was that any song that came from that body sounded wonderful, as Picasso playing the guitar might have sounded wonderful. Astaire the dancer transmogrified Astaire the singer, Astaire the lover, Astaire the actor, Astaire the comedian.

Apart from his footwork, there was this about him that was distinctive: his public geniality. His was a frown upon the frowns of the great geniuses whose preoccupation with their art makes them insensible to the demands of civility. Astaire appeared happy in his work, happy in the company of his partners. Who knows, he might even have been happy in his dealings with Louis B. Mayer. But that self-effacing smile, followed by those explosive feats of legwork, combined to make him a household idol rather than, merely, the kind of idol one stuffs and mounts in the pan-

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### The Great Game

A warm-water port for the winter  
Had always attracted the Czars,  
But not, to be lewd, for dips in the nude,  
Though Catherine loved soaping hussars.  
Today, every commissar covets  
Those very same warm-water ports,  
Which doesn’t seem odd to Senator Dodd,  
Who figures they’re building resorts.

W. H. VON DREELE

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theons. We do not mourn the passing of his art, because it will never pass. For his family one mourns, but only in the fatalistic sense in which one is left to mourn the death of a human being destined to die sometime, dead now at 88. There is, instead, jubilation as we refresh ourselves with the thought of his enduring legacy.

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## NOTES & ASIDES

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□ Dear Bill:

Thank you so much for the ride to the airport. When I got back to my office this questionnaire from Hertz was waiting for me. I was wondering if you could fill it out for me and send it in, as you have much more of a feel for what the Platinum Service people want when they question you.

Cheers,  
Art [Buchwald]  
Washington, D.C.

Dear Art: Done. You certainly travel well. Let me know when next you need a ride from the airport!  
Cordially,  
Bill

□ Dear Mr. Buckley:

My ex-boyfriend and I are each president of the debate teams at our neighboring private Catholic high schools. After a recent Model Congress, we broke off all diplomatic relations. I need not explain when I tell you that he hoards his issues of *The Nation* as I my NATIONAL REVIEWS. His pride was a trifle ruffled, first, when I claimed that I would not spend my upcoming vacation with him, touring the Marxist-Leninist bookstores of Greenwich Village, and again when I had the audacity to write and to pass (Lord help us!) two bills, one nullifying the ABM Treaty of 1972 and another promoting aid to the Contras. And I must admit, my pride was sorely wounded when he denounced Oliver North, Jack Kemp, and me as “fascist pigs.” Anyway, my cause for concern is just this—I am morbidly afraid that at Columbia University next year, my comrade, who I have no doubt sleeps with a photograph of Karl Marx under his pillow, will soon become our very own Strelnikov. Any advice?

Sincerely,  
Kathleen Collins  
Fairfield, Conn.

Dear Miss Collins: Comment, yes: How splendid that you repealed that anachronistic treaty, reaffirmed the case for the Contras, and bested your ex-boyfriend in all your engagements. Advice, no: You see, I do not know who Strelnikov is (or was). Could he be

the man who writes the foreign-policy editorials for *The Nation*? If so, tell your ex-boyfriend he is better off becoming a fascist pig. Cordially, WFB

□ Dear Mr. Buckley:

Re NR March 27, page 16, your editorial comment, "Ronald Reagan's resiliency, determination, and courage have served him critically in the past and no doubt will do so again," a few observations:

Have you noticed that a unique lepidopteran and the rare forb on which it depends are on the verge of passing on an isolated island in Lake Reagan? Until now, the cooling effect of that fresh-water body kept alive this endangered Ice Age community.

Already we may have lost the Spotted Oliver, a variable moth that fobs its predators by flashing the "eyes" on its hind wings, then abruptly lighting and shutting. In this model of "brilliance," the Spotted's pursuers, thinking themselves on the verge of capture, flew on past.

What will happen to *Myosotis poindexterii*, a fugitive forget-me-not whose leaves the Spotted Oliver requires? This myosotis, with a muscular network of roots for storing sugars under Pleistocene conditions, had survived in a pocket of Caseyan gneiss.

Extinct even now is the *Regan gaffean*, a blunt

skipper with typically clubbed antennae, known for its habit of darting from one accident to another.

If under the heat of investigation, this remnant ecosystem pops, the lake itself, through its "resiliency," absorbs. In his massiveness, Ronald Reagan assimilates his surroundings. Rather than denaturing, though, the President comes ultimately to temper and control those around him.

Warm regards,  
Michael Dyregrov  
Minneapolis, Minn.

□ Dear Mr. Buckley:

This accolade is for Mr. and Mrs. H. N. Kelley ["Notes & Asides," June 5]. I applaud their rejection of a financial solicitation made by 26 chairs.

Please assure Mr. and Mrs. Kelley that they are not alone. Kindred souls abound.

I had a friend, Louis Feldhaus, a member of the English faculty of a prominent university. On one occasion he received a letter from the president of the university asking him to chair a certain committee. He replied: "I respectfully decline your request. Moreover, I hereby resign from the faculty. I cannot serve any institution which regards the word 'chair' as a verb."

The president, who knew an ultimatum when he saw one, promptly rephrased his request using the word "chairman." My friend Louis accepted and was forthwith reappointed without loss of tenure.

Verbum sapienti sat.

Sincerely,  
Robert A. Ryan  
Cincinnati, Ohio

Dear Mr. Ryan: Fiat sat. Cordially,

WFB

□ Dear Mr. Buckley:

Yours is truly a family magazine—your people care about your subscribers.

When I sent in my renewal I asked for Mr. Rusher's book in lieu of the two extra copies of NR. It was not being offered then, but lo and behold, your staff actually reads what one writes on a "check box" card.

*How to Win Arguments* is at my side and has brought a smile to my lips in only a page or two.

Why are conservatives portrayed as stodgy, dry, and humorless—all I have met through you have a definite twinkle in their eye.

With thanks,  
Gloria Renstrom  
San Francisco, Calif.

Dear Mrs. Renstrom: If you will read on a few pages in Mr. Rusher's book, you will find an argument against a twinkle in the eye. Among other things, the tax collector may mistake your mood. Cordially,

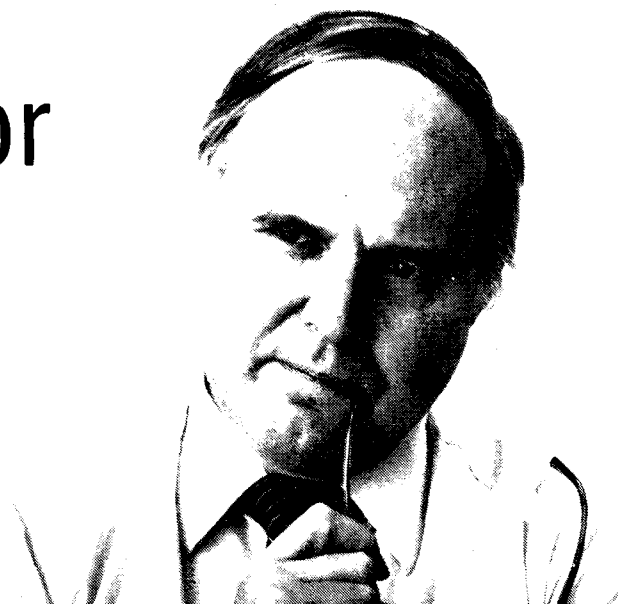
—WFB



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## JACKSON THE MODERATE

**I**T'S A NEW ballgame for Jesse. He has catapulted into presidential front-runner status, with media coverage four times what it was before Hart's fall. The fresh legitimacy of Jackson's campaign is giving Democrats a case of terminal jitters. In fact, they see it as possibly torpedoing their plans to regain the White House in the post-Reagan era.

Besides being the only experienced player in the game, Jackson also holds a few other trump cards. The traditional black political bloc, painfully divided in 1984, is beginning to coalesce for 1988. Congressmen Charles Rangel of New York and Mickey Leonard of Texas showed up at Jackson's Rainbow Coalition convention last spring, as did big-city mayors Wilson Goode of Philadelphia and Richard Arrington of Birmingham. More black establishment figures are expected to follow, since the current crop of Democratic candidates includes no safe, Mondalesque option. True, Paul Simon has all the litmus liberal qualifications, but blacks, like other Democrats, are reluctant to pin their hopes on such an unrealistic longshot.

The best news for the Jackson forces, though, is the looming Super Tuesday monster in early March 1988, when twenty states, mostly Southern, will hold their primaries or caucuses on the same day. Originally developed to give the South a greater role in the selection process, Super Tuesday now seems custom-made for Jackson. In 1984, he finished first or second in eight Southern or border states. Now, in a field with no clear front-runner, Jackson could merely maintain his 1984 percentages, watch the white candidates split the rest of the vote, and come out the easy victor in many states. Super Tuesday, says former Jackson aide Lamond Godwin, "gives us an advantage we didn't have before. It goes to our strength, and they just handed it to us."

Thrust into such sudden respectability, Jackson has begun to clean up his act. He has stopped publicly calling for aid to the Sandinistas and for diplomatic relations with Cuba, and he has begun aggressively pushing a domestic agenda that promotes increased spending for education and for infrastructure programs, his current theme being economic justice for all. But he has not abandoned appeals to his traditional base. Jackson's latest black muscle-flexing is his challenge to major-league baseball on discriminatory practices in hiring of executives. "In '84, he ran an anti-party campaign that was extremely polarizing," says an optimistic Democratic insider. "To date he hasn't said anything that would be a problem for the party this time in a general election."

There are obstacles remaining in Jackson's path, to be sure. Black support, for example, is far from unanimous. Jackson's 1984 campaign was less a presidential candidacy than a symbolic rallying of blacks bitter at perceived civil-rights reverses under Ronald Reagan. Already, a large portion of the educated, middle-class black vote that supported him then in a relatively token gesture of brotherhood has gone elsewhere. "We made our point in '84," says one former Jackson supporter. "There's nothing to be gained by doing it again." Polls show that most of Jackson's supporters this time around are younger blacks, or less-educated Southern blacks, groups that traditionally have had a lower voter turnout.

With black tokenism crumbling, Jackson is forced to campaign on the strength of his oratory and his newly moderate ideas. But other Democratic hopefuls are running on those ideas, too, and they have an edge because voters know that Preacher Jackson lacks the political experience most of them feel is necessary to run the country. He cannot even offer an estimate

of how much his proposed education programs would cost, or ballpark figures on how much of the defense budget he would like to see cut. The Jackson staff that has failed to produce position papers on these subjects is equally inefficient at campaign management and logistics. "In '84, Jackson's airplane entourage never knew in the morning where it would be at night," says a top Democratic political strategist. "This campaign is no better planned, no better organized—although one thing about this go-around is that the candidate himself is more disciplined," he adds.

### *Democrats' Cleft Stick*

**A**SSUMING JACKSON does not win the nomination, he nevertheless will have built up a sufficiently large block of delegates by convention time to be a major player. "He'd love to be VP, but it ain't gonna happen," says political-newsletter writer Charlie Cook. "Jackson has an enormous amount of leverage, though, and how he will decide to use it is still up in the air." Jackson's demands next summer will doubtless unnerve the eventual nominee. True, Jackson has not been as "polarizing" as he was in 1984, but Democrats still remember the damage his campaign did to Walter Mondale.

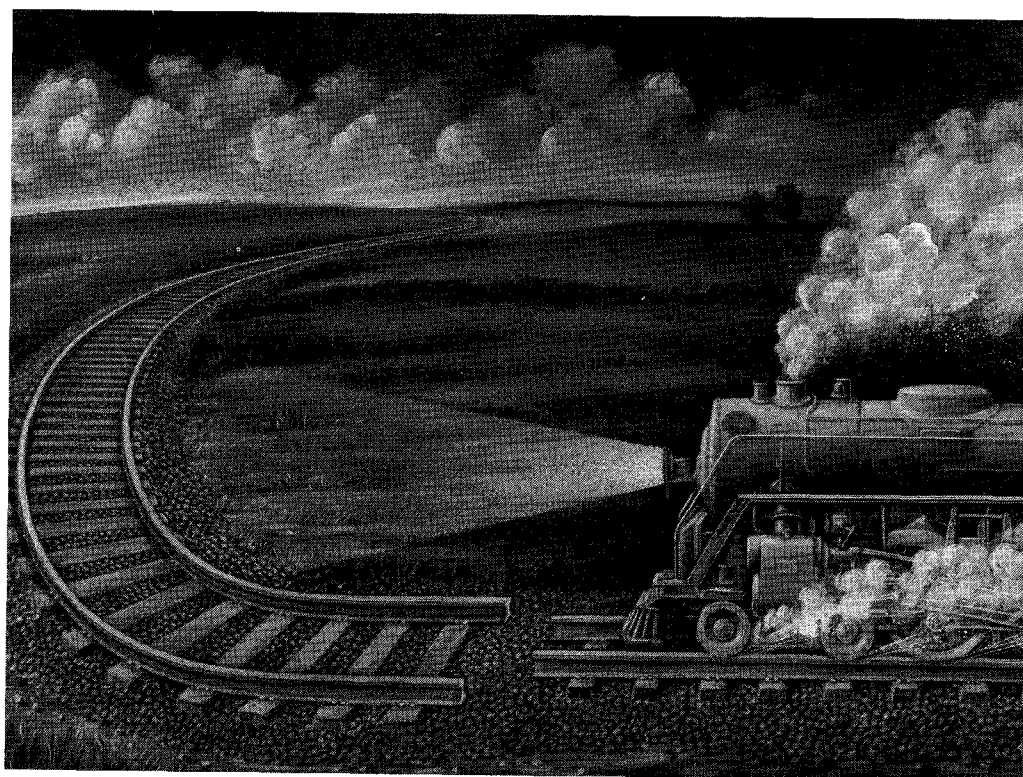
As moderate as Jesse Jackson is becoming, or affecting to become, all signs still point to confrontation at the Democratic convention a year from now. If the Democrats reject his demands, they run the risk of repelling the black support they critically need to win a general election. Too many concessions to Jesse, on the other hand, could have just as deadly a result, with the ensuing white flight handing the election to the GOP. One of the better things the Republicans have going for them in the summer of 1987 is Jesse the Moderate. □

# The way beyond Babel.

Imagine trying to build a railroad system if every locomotive manufacturer used a different track gauge. Every local stretch of railroad had its own code of signals. And in order to ride a train, you needed to know the gauges and the signals and the switching procedures and the route and the conductor's odd pronunciation of the station names.

The business of moving and managing information is in a similar state today. Machines can't always talk to each other. Proprietary systems and networks abound, with suppliers often jockeying to make theirs the de facto standard. The enormous potential of the Information Age is being dissipated by incompatibility.

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The science is here now. The technology is coming along rapidly. But only with compatibility will the barriers to Telecommunity recede.

Telecommunity is our goal. Technology is our means.

We're committed to leading the way.



## ON THE RECEIVING END

**I**N AN IMPORTANT symposium published in 1985, Mr. Charles Moser took me to task in these words: "So firm an anti-Communist as Brian Crozier, who published a detailed book on insurrection as early as 1960, included a section on anti-Communist rebellions like the Hungarian revolution of 1956 simply for the sake of completeness, and not because he thought them of any theoretical importance." True, he added in mitigation: "He may be forgiven for adopting such an attitude at the time."

I recall these words today, and commend the symposium, published for the Free Congress Research and Education Foundation under the title *Combat on Communist Territory*, as a contribution of continuing validity. I have to add on the mitigation issue that when I started a systematic study of insurrections in 1958, I was interested in the phenomenon per se, in the frustration that was the common denominator of all rebel leaders, whatever their political complexion. In this context, I merely noted that insurgencies could go in either direction, Communist-inspired, or in rebellion against Communism. Hungary was only one of the examples I considered; others included Tibet and an anti-Communist uprising in what was then the Communist half of divided Vietnam.

I am impelled toward a further look at such matters by the continuing anti-Communist insurgency in Afghanistan. At the end of last year, the man who now rules that unhappy country under very strict Soviet control, "Comrade Najib," as he likes to be called, launched a plan for "national reconciliation." Among other things, he promised a ceasefire and a general amnesty. The idea, he declared, was to pave the way for the withdrawal of Soviet forces in conditions of peace and security.

The first fair comment to make, about a half-year later, is that the

Soviet forces are still there. Every now and again, there is a token withdrawal, but at the latest count, there were still more than 110,000 Soviet troops in Afghanistan.

This winter a unilateral ceasefire was proclaimed, to start on January 15, but fighting is still going on in many places. The Mujahedin would doubtless like "peace." Who wouldn't? But they have made it clear that they don't want peace at any price. For them, peace on Soviet terms would mean laying down their arms or coming back from their camps, mostly in neighboring Pakistan. Incidentally, the proposed ceasefire specifically excluded the border areas.

In February and March of this year, towns on the Pakistani side of the frontier were deliberately bombed by Soviet aircraft, causing the deaths of hundreds of civilians. All this, while UN-sponsored talks were starting in Geneva.

On March 8, in a speech on the occasion of International Women's Day, Najib claimed that more than 23,000 people had come home since January 1. The very next day, the commissioner for Afghan refugees in Pakistan's Northwest Frontier Province announced that about 18,000 new

refugees had crossed over into Pakistan. Some eight thousand, he said, were coming over each month.

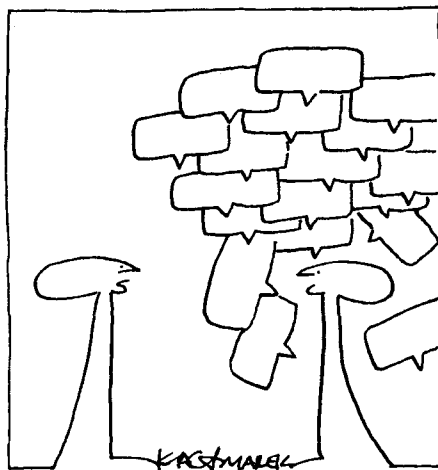
**I**NEVITABLY, comparisons are being made between Afghanistan and Vietnam. So, is it fair to say that Afghanistan is Russia's Vietnam? In the sense that involvement in a foreign war may lead to attrition, demoralization, and a collapse of national will, the parallel is promising, but it falls short of exactness on several points.

The United States went into Vietnam in the wake of Truman's "containment" policy, and in accordance with Eisenhower's and John Foster Dulles's attempt to encompass Soviet imperial power by a system of alliances. It was essentially a defensive war on America's part, despite all the protests and demos to the contrary; a proposition easily sustained by asking whether, in the event of victory, the United States would have kept occupation forces in a united and pro-Western Vietnam. Not even Jane Fonda, I suspect, would have endorsed so absurd an accusation.

In all honesty, the CIA's role in facilitating the overthrow of the Ngo Dinh Diem regime in 1963 does present a regrettable parallel with the Soviet-engineered coups in Afghanistan that made it possible for a puppet regime to "invite" the Soviet army to invade the country.

But here again, the parallel breaks down under scrutiny. The Americans were rightly concerned about the corruption and nepotism of the Ngo Dinh family—although it has to be added that the president himself (as distinct from relatives and hangers-on) was incorruptible; there was no comparison between the setup in Saigon at that time and in Manila more recently.

Nor was there any question of American imperialism—whereas Afghanistan had long been seen in Mos-



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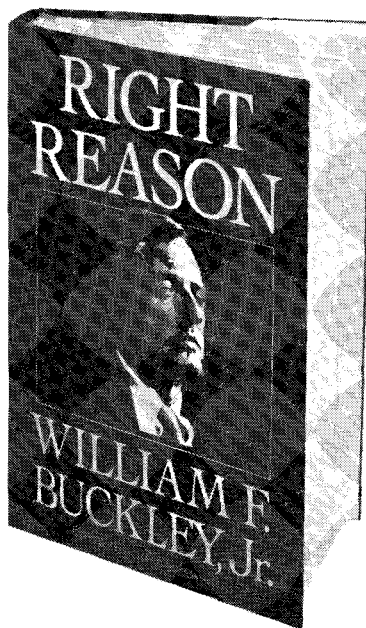
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cow as an exercise in Leninist aggrandizement, an integral part of which was the training and indoctrination of the officer corps of the Afghan army over some twenty years.

There remains another criterion by which to judge whether or not the parallel is justified: the criterion of strategic will, or long-term commitment. Bear in mind the fact that in a legal sense the American commitment was an annual one, renewable or not at the whim of Congress, and subject to the vagaries of elected governments and alternating parties. The wonder is not that the American will collapsed in 1972, but that it lasted nine years beyond the overthrow of Ngo Dinh Diem.

**T**HE GREAT advantage the Soviet side has enjoyed in its seventy-year history has been continuity of leadership and external policy. Mikhail Gorbachev's handling of the Afghanistan problem is thus going to be an interesting test case, both for him and for the regime. One aspect of *glasnost* is that, for the first time, the ordinary Soviet reading and viewing public is at last being given some idea, however incomplete, of the human cost of a protracted conflict: the casualties, the wounded, the stricken families. It was rightly said that the Vietnam War was the first in history to be lost on the television screens of one of the combatants. I doubt whether Gorbachev's *glasnost* will be allowed to go that far, but it is not inconceivable that by allowing the human cost of the Afghanistan involvement to be made at least partially visible, the General Secretary may be testing the waters, just possibly preparing for a change of course.

In this, as in all other domains of public policy, the Leninist imperative imposes inescapable limits. I am as certain as anybody can be in such assessments that we may rule out the one solution of the Afghanistan problem that would be acceptable to world opinion, even as measured by that unsatisfactory forum, the United Nations: an unconditional withdrawal of Soviet forces, followed by free elections under international supervision (that is, entirely outside Soviet control).

Even if Gorbachev were inclined in this direction, he would not be allowed by his colleagues to go so far.

And he is still a long way from having an entirely subservient Party at his disposal. Against this background, a "political" solution would mean persuading the Mujahedin to lay down their arms in return for a chance to participate in a central government.

As I argued in this space some months ago (*NR*, Feb. 27), the place and time to look for a precedent is Laos, 1962. In that instance the West went along with Khrushchev's "troika" proposals because we didn't think Laos was worth our continuing concern. At least at that time we had an excuse and an incentive of a kind. But Afghanistan, 1987, is a Soviet, not a Western, problem. It is therefore not in our interest to facilitate a solution that would get the Soviets off the hook in military terms while giving their protégés in Kabul the time and breathing space they need to absorb those now fighting for their freedom.

**N**OT ENOUGH attention has been paid in the West to the military and political problems of the Najib regime. Less than a year ago, the conscription laws were amended so that virtually all young men were drafted at 18. Studies distinctly took second place. Last February, the regime changed its collective mind under a new law enabling students to graduate before being called to the colors, and allowing ministries to keep their functionaries. Clergy in the religious schools are exempt.

The new law has been causing problems of another kind, and the press gangs are out, rounding up young people in the streets. One result has been that the military training camps are besieged by distraught mothers wailing outside their gates.

Despite Najib's efforts, the Afghan

regular army is, at under fifty thousand men, less than half the size of the Soviet occupation force. There is a small air force: five thousand men, 150 aircraft, and a token helicopter strength. On paper, there are 12 infantry divisions and three armored divisions; but all are under strength, some units with only a quarter of their allocated numbers.

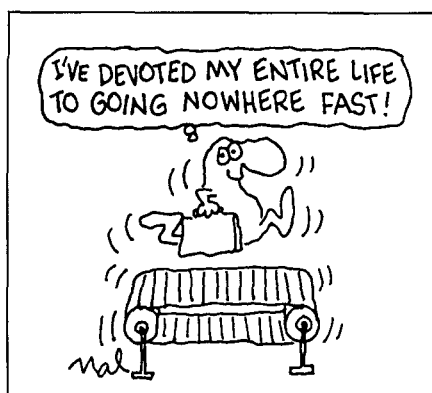
As in all Communist regimes, two areas at least are strong: indoctrination and security. The police force numbers thirty thousand and is known as *Sarandoy*. It comes under the control of the Ministry of the Interior, as do the regional militias, consisting of revolutionary defense groups, civil defense, Party guards, and youth militias. When the ailing Babrak Karmal was still in office, he created the civil-defense groups, giving them the fancy names of "Guardians" and "Defenders of the Revolution." As in the Soviet Union, the Ministry of State Security (formerly the KHAD or security service), the equivalent of the KGB, has its own combat units under Party control.

The colonial chain of control, though hidden, is strong. Starting in 1979, the year of the invasion, the Soviet Military Political Administration has been building up an Afghan equivalent. In Kabul, the Soviet Military Advisor Group directs all military operations. The Soviet military commander has a number two, with the appropriate title of Deputy for Political Affairs. In increasing numbers, Afghan officers go to Moscow for political indoctrination, mainly through the Lenin Military Political Academy.

It is important to see and understand this picture of Soviet imperial power in action. It represents an enormous investment by the Kremlin, and implies a long-term commitment, not lightly to be discarded.

For this reason alone, the West should, in its own enlightened self-interest as well as for valid moral reasons, continue to do all it can to support the Afghan resistance. The need is for more, not less.

The whole issue of aid to anti-Communist guerrillas was discussed at length in the current (June 1987) issue of the libertarian magazine *Reason*. Had I participated in that magazine's seminar, I would have supported those who champion the Reagan Doctrine. Afghanistan explains why. □



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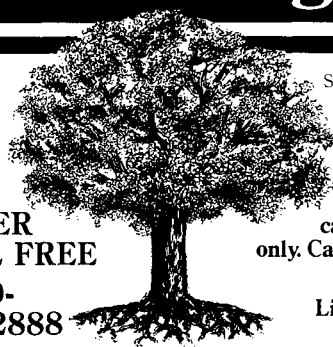
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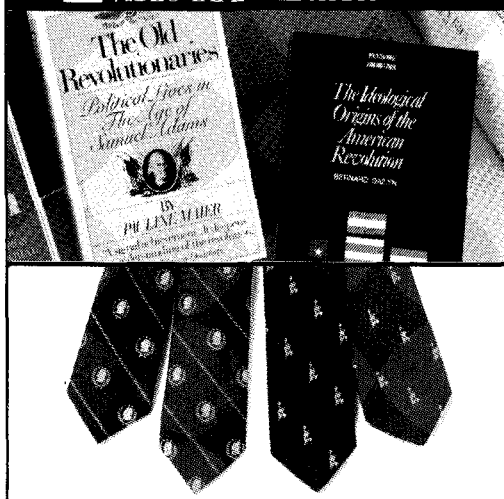


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# Saving The

# CONSTITUTION

## The Law of the Constitution

Edwin Meese III

**D**URING ITS nearly two hundred years, the U.S. Constitution, which Gladstone pronounced “the most wonderful work ever struck off at a given time by the brain and purpose of man,” has been the subject of arguments both petty and profound, among great men and lesser ones.

The scrutiny has not always been friendly. The debates over ratification, for example, were often rancorous, and scorn was poured on many of the constitutional provisions devised by the Federal Convention in 1787. But no sooner was the Constitution adopted than it became an object of astonishing reverence. So vast was the public enthusiasm that one senator complained of “declamatory gentlemen” who, in praising the new government, were painting “the state of the country under the old Congress”—that is, under the Articles of Confederation—“as if neither wood grew nor water ran in America before the happy adoption of the Constitution.”

But it has not all been easy going. The debate over nationalism versus confederalism that divided the Federal Convention lingered on well into the nineteenth century. Its final resolution was a terrible and bloody one—the War between the States. And in the wake of that war, the once giddy, almost unqualified adoration of the Constitution subsided into realism.

That realism is in many respects a good thing. Yet insofar as it has diminished the reverence once felt for the Constitution itself, it presents a particular danger, which is that we may confuse the Constitution with constitutional law. On the one hand, the Constitution may be degraded by the apparently realistic assertion that it is but what the Supreme Court or history makes of it. Conversely, a simplistic realism may elevate the body of law that has grown up around the Constitution to that document’s own self-proclaimed status as the “supreme Law of the Land.” Yet the Constitution and constitutional law are not

synonymous, and confusing them with one another presents a real danger to the Republic.

**T**HE CONSTITUTION is a document of our most fundamental law, stretching from “We, the People of the United States, in order to form a more perfect Union . . .” to the Twenty-Sixth Amendment some six thousand words later. It creates the institutions of our government, enumerates the powers those institutions may wield, and cordons off certain areas into which government may not enter. It prohibits the national authority, for example, from passing *ex post facto* laws, while it prohibits the states from violating the obligations of contracts.

The Constitution is the highly specific instrument by which the consent of the governed—the fundamental requirement of any legitimate government—is transformed into a government complete with “the powers to act and a structure designed to make it act wisely or responsibly.” Among its various “internal contrivances” (as James Madison called them) we find federalism, separation of powers, bicameralism, representation, an extended commercial republic, an energetic executive, and an independent judiciary. Together, these devices form a carefully balanced machine of liberty, which, with proper tending, serves to secure the rights of the people more effectively than if the protection of those rights had been given over to a single institution, however enlightened.

Constitutional law, on the other hand, is simply what the Supreme Court has said about the Constitution in its decisions resolving the cases and controversies that come before it.

A written constitution carries with it the burden of interpretation and enforcement, as our Founding Fathers knew and appreciated. One of the greatest defects of the Articles of Confederation had been the absence of a judicial branch with the power to expound and apply the meaning of the laws. Without such an institution, Alexander Hamilton said, the laws would inevitably be a “dead let-

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*Mr. Meese is the Attorney General of the United States.*

ter.” The Constitution thus sought to remedy this defect by creating an independent judiciary. But to say that courts are needed to expound and apply the meaning of the laws is not to say that the Constitution is nothing more than “what the judges say it is”; for the law of the Constitution is, and must be understood to be, something more than merely the constitutional decisions of the Supreme Court.

In its limited role of offering judgment, the Court has had a great deal to say. In almost two hundred years, it has produced nearly five hundred volumes of *Reports* of cases, a good many of them dealing with constitutional questions. So, in terms of sheer bulk, constitutional law greatly overwhelms the Constitution. But as the constitutional historian Charles Warren once noted, “However the Court may interpret the provisions of the Constitution, it is still the Constitution which is the law, not the decisions of the Court.”

By this, of course, Warren did not mean that a constitutional decision by the Supreme Court lacks the character of law. Obviously it binds the parties in a case and also the executive branch for whatever enforcement may be necessary. It is also a binding precedent on lower federal courts. Further, such decisions, as Lincoln once said, are “entitled to very high respect and consideration in all parallel cases” by other departments of government, both federal and state. Arguments from prudence, the need for stability in law, and respect for the judiciary should normally persuade officials of these other institutions to abide by a decision of the Court. Yet it does not follow that a constitutional decision establishes a “supreme Law of the Land” that is binding on all persons and parts of government henceforth and forevermore.

**T**HIS POINT ought to be obvious. Indeed the Supreme Court itself would face quite a dilemma if its own constitutional decisions really were “the supreme Law of the Land,” binding on all persons and governmental entities, including the Court itself, for then the Court would not be able to change its mind. The fate of *Plessy v. Ferguson*—the infamous case, involving a Louisiana railroad-car law, which in 1896 established the legal doctrine of “separate but equal”—is one of many instances in which the Court has done just that. *Plessy* finally and fortunately was struck down in 1954, in *Brown v. Board of Education*.

Reversals by the Court illustrate the key distinction between the Constitution and constitutional law. Article V of the Constitution provides the only means for changing the Constitution itself: the amendment process. But there are several means, including new litigation, to seek change or even reversal of Supreme Court rulings.

Nonetheless, there have been those, down through our history—and especially in our own time—who have denied the distinction between the Constitution and constitutional law. Such denial has usually gone hand in hand with an affirmation: that constitutional decisions are on a par with the Constitution in the sense that they, too, are “the supreme Law of the Land,” from which there is no appeal.

Perhaps the best-known instance of this exaltation of constitutional law at the expense of the Constitution occurred during the most wrenching crisis in our political history. In 1857, in the *Dred Scott* case, the Supreme

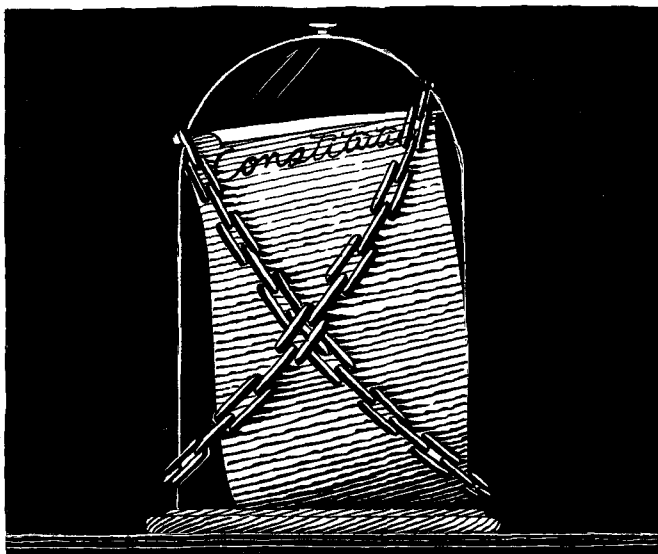
Court ruled that the right of whites to possess slaves was a property right affirmed in the Constitution. The following year, in the 1858 Senate campaign in Illinois, Stephen Douglas went so far in his defense of *Dred Scott* as to equate the decision with the Constitution. “It is the fundamental principle of the judiciary,” he said in his third debate with his opponent, Abraham Lincoln, “that its decisions are final. It is created for that purpose so that when you cannot agree among yourselves on a disputed point you appeal to the judicial tribunal which steps in and decides for you, and that decision is binding on every good citizen.”

Furthermore, he said, “The Constitution has created the Court to decide all constitutional questions in the last resort, and when such decisions have been made, they become the law of the land.” It plainly was Douglas’s view that constitutional decisions by the Court were authoritative, controlling, and final, binding on all persons and parts of government the instant they were made, and from then on.

Lincoln disagreed. His response to Douglas, full of nuances and subtleties, sought to maintain the fundamental function of judicial review while at the same time upholding the right of the people to govern themselves through the democratic branches of government. Lincoln said that insofar as the Court “decided in favor of *Dred Scott*’s master and against *Dred Scott* and his family”—the actual parties in the case—he did not propose to resist the decision. But Lincoln went on to say: “We nevertheless do oppose [*Dred Scott*] . . . as a political rule which shall be binding on the voter, to vote for nobody who thinks it is wrong, which shall be binding on the members of Congress or the President to favor no measure that does not actually concur with the principles of that decision.”

If Supreme Court decisions are not binding in the same way that the Constitution is, then we as citizens may respond to a decision we disagree with. And, as Lincoln pointed out, we can make our responses through the Presidents, governors, senators, representatives, and state legislators we elect.

Thus, not only can the Supreme Court respond to its previous constitutional decisions and change them, but so can the other branches of government and, through them,



Brian Callanan

**'Miracles do not cluster. Hold on to the  
Constitution . . . —what has happened once in six  
thousand years may never happen again'**

the American people. As we know, Lincoln himself worked to overturn *Dred Scott* through the executive branch. Congress joined him in this effort. Fortunately, the *Dred Scott* decision lived a very short life.

Once we grasp that constitutional decisions need not be seen as the last words in constitutional construction, once we comprehend that these decisions do not necessarily determine future policy, we can also grasp a correlative point: that constitutional interpretation is not the business of the Court only. Each of the three coordinate branches of government created and empowered by the Constitution has a duty to interpret the Constitution in the performance of its official functions. In fact, every official takes an oath precisely to that effect.

**B**UT FOR THE SAME REASON that the Constitution cannot be reduced to constitutional law, it cannot be reduced to what Congress or the President says it is either. In the final analysis, only the Constitution is our paramount law, not what the three branches say about it. Senator Moynihan has asked: What does one do when one believes the Supreme Court is wrong? That question also applies to interpretations by the other two branches.

With respect to Congress and the President, the answer is simple: Try to persuade them and, if that fails, replace them. In 1800, the electorate consciously replaced a President who thought the Alien and Sedition Acts to be constitutional with one who did not.

The situation becomes more complicated with respect to the Supreme Court, which by design is insulated from ordinary politics. But a new lawsuit can help clarify the law by better defining its edges, or it can give the Court an opportunity to rethink a previous holding. So can a new legislative enactment that may lead to litigation.

The salient point is this: The Constitution, the original document of 1787 plus its amendments, is and must be understood to be the standard against which all laws, policies, and interpretations must be measured. It is the consent of the governed with which the actions of the governors must be squared. As Justice Felix Frankfurter once said, "The ultimate touchstone of constitutionality is the Constitution itself and not what we have said about it."

In the exercise of their historical power of judicial review, even the courts themselves have on occasion been tempted to think that the law of their decisions is on a par with the Constitution.

Some thirty years ago, in the midst of great racial turmoil, our highest Court seemed to succumb to this temptation. By a flawed reading of our Constitution and *Marbury v. Madison*, and an even more faulty syllogism of legal reasoning, the Court in a 1958 case called *Cooper v. Aaron* appeared to arrive at conclusions about its own power that would have shocked John Marshall and Joseph Story.

Let us keep two things separate as we discuss *Cooper*: the substantive result, and the *obiter dicta*. The substantive result was the rejection of the claim of Arkansas Gover-

nor Orval Faubus that he could ignore a federal court order resting on *Brown v. Board* because his state was not a party in that suit. This rejection was the correct outcome. But in reaching it, the Court proclaimed that its constitutional decisions generally were nothing less than "the supreme Law of the Land."

Obviously *Cooper v. Aaron* was binding on the parties in the case. Obviously, too, it set a precedent to be respected by all governors who might have been tempted to act as Governor Faubus had done. But the implication of the *dictum* that everyone would have to accept all the Court's judgments uncritically, and that there could be no appeal from its decisions, was astonishing; the language recalled what Stephen Douglas had said about *Dred Scott*. In one fell swoop, the Court seemed to reduce the Constitution to the status of ordinary constitutional law, and to equate the judge with the lawgiver. This *dictum* of *Cooper v. Aaron* was, and is, at war with the Constitution, with the basic principles of democratic government, and with the rule of law.

Just as *Dred Scott* had its partisans a century ago, so does the *dictum* of *Cooper v. Aaron* today. For example, a U.S. senator criticized one of the President's recent nominees to the bench, Judge Daniel Manion of the Seventh Circuit, for his sponsorship, while a state legislator, of a bill that responded to a Supreme Court decision with which he disagreed. The decision was *Stone v. Graham*, a 1980 case in which the Court held unconstitutional a Kentucky statute that *required* the posting of the Ten Commandments in the schools of that state. The bill co-sponsored by the judicial nominee—which, by the way, passed his state's Senate by a vote of 39 to 9—would have *permitted* the posting of the Ten Commandments in the schools of his state. In this, the nominee was acting on the principle Lincoln enunciated—that legislators have an independent duty to consider the constitutionality of proposed legislation. Nonetheless, the nominee was faulted for not appreciating that, under *Cooper v. Aaron*, Supreme Court decisions are the law of the land—just like the Constitution. He was faulted, in other words, for failing to equate the Court's constitutional interpretations with the Constitution itself.

No one would argue that, in such a case, it is sensible to pass another law exactly like the one voided by the Court. But legislators are acting properly when they seek to enact a new law of sufficient difference that it might pass constitutional muster in the Supreme Court, especially given the fine lines drawn in First Amendment law.

To understand the distinction between the Constitution and constitutional law is to grasp, as John Marshall observed in *Marbury*, that "the Framers of the Constitution contemplated that instrument as a rule for the government of courts, as well as of the legislature." This was the reason, in Marshall's view, that a "written Constitution is one of the greatest improvements on political institutions." Likewise, James Madison, expressing his mature view of

the subject, wrote that as the three branches of government are coordinate and equally bound to support the Constitution, "each must in the exercise of its functions be guided by the text of the Constitution according to its own interpretation of it." And, as his lifelong friend and collaborator Jefferson once said, the written Constitution is "our peculiar security."

But perhaps no one has ever put it better than did Abraham Lincoln, seeking to keep the lamp of freedom burning amid the moral shadows cast by the Court in the *Dred Scott* case. Recognizing that Chief Justice Taney in his opinion in that case had done great violence not only to the text of the Constitution but also to the intentions of those who had written, proposed, and ratified it, Lincoln argued that,

if the policy of government, upon vital questions affecting the whole people, is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made, in ordinary litigation between parties, in personal actions, the people will have ceased to be their own rulers, having, to that extent, practically resigned their government into the hands of that eminent tribunal.

To confuse the Constitution with judicial pronounce-

ments allows no standard by which to criticize and seek overruling of what University of Chicago Law Professor Philip Kurland once called the "derelicts of constitutional law"—such cases as *Dred Scott* and *Plessy v. Ferguson*. To acquiesce in such confusion, as Lincoln said, is to submit to government by judiciary—which would be utterly inconsistent with the principles of our Constitution and, indeed, with the very idea of the rule of law to which we, as a people, have always subscribed.

The rule of law is part of a long Western tradition to which we are heirs. Some two thousand years ago, for example, the great statesman of the ancient Roman Republic, Cicero, observed, "We are in bondage to the law in order that we may be free." Today, the rule of law is still the very fundament of our civilization, and the American Constitution remains its crowning glory. We can do no better than to recall Daniel Webster's words:

Miracles do not cluster. Hold on to the Constitution of the United States of America and the Republic for which it stands—what has happened once in six thousand years may never happen again. Hold on to your Constitution, for if the American Constitution shall fall there will be anarchy throughout the world. □

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# A Theory of Power

Lino Graglia

**C**ONSTITUTIONAL LAW is not a difficult or mysterious subject; the Constitution is a short and simple document, and very few of its provisions play even a nominal role in the making of constitutional law. The need for anything as portentous as a "constitutional theory"—exactly what are the puzzling phenomena requiring explanation?—is therefore not entirely clear. The function of current constitutional theory, however, is not to aid understanding of the Constitution or of the nature and source of constitutional law, but instead to offer justifications for what the Supreme Court has done in the last three decades, entirely without constitutional warrant, in the guise of enforcing the Constitution.

The current proliferation of constitutional theories arises from an increased recognition of two crucial facts that threaten to undermine the legitimacy of constitutional law: 1) The Supreme Court's rulings of unconstitutionality are not, as represented, based upon or derived from the Constitution. 2) These rulings have not been random in their political impact, but have uniformly served to advance a single political point of view. It can be said that the American Civil Liberties Union, the paradigmatic constitutional litigator of our day, never loses in the Supreme Court. Typically, either the ACLU wins a victory on some issue of social policy that it could not win through the ordinary political process, or, at the least, it is left where it was,

to try again another day. For the ACLU's opponents, on the other hand, to win means nothing more than that the Court has not positively denied them the right to fight for their position—e.g., that abortion should be restricted—in the ordinary political process.

Because the vast majority of those who write and teach in the area of constitutional law share the broad political preferences of the modern-era Supreme Court and realize that those preferences can be made to prevail in American society in no other way than by Court decree, the formulation of constitutional theory today is far from a disinterested academic enterprise. Typically, it is motivated by the view that the policy-making role the Court has been allowed to assume in the past three decades must be defended at all costs. The frequent result is resort to arguments so patently counter-factual and illogical that they would not be considered intellectually reputable in a true academic discipline and would be dismissed as ludicrous even as legal argumentation if the subject were not so politically charged.

It is necessary to make clear, first of all, that much is at stake in the "constitutional theory" debate. In the past three decades the Supreme Court has arguably become our most important institution of government in regard to domestic social policy. The Court's decision in *Brown v. Board of Education* in 1954, holding school racial segregation—and, it soon appeared, all racial discrimination by government—unconstitutional, led to a widespread belief in the moral superiority of judicial decision-making to decision-making by the processes of representative govern-

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ment. The Court quickly came to be seen as the essential vehicle of difficult social change, as an institution through which American society could be remade in accordance with a particular political vision without the necessity to undertake the onerous task of obtaining the consent of a majority of the American people. If, after all, the Court could do so great and difficult a thing as end racial segregation in the South, what great and difficult things could it not do?

In the years since *Brown*, the Court has been permitted to decide issues literally of life and death, as in its decisions on abortion and capital punishment; it has decided issues of public decency and morality and of personal and national security; it has decided that children should be excluded from their neighborhood schools and transported to more distant schools because of their race; it has disallowed state provisions for prayer in the schools, while also disallowing most forms of government aid to religious schools; it has invalidated most legal distinctions on the basis of sex, alienage, and legitimacy. In short, in terms of the issues that determine the nature of a civilization and the quality of life in a society, the Court has become our primary policy-making institution. And on every one of these difficult and controversial issues, it is important to note, the Court has adopted and furthered the policy preferences of those on the far left of the American political spectrum, and has done so in many cases over the strong opposition of a majority of the American people.

The only question common to the myriad of issues settled by the Court under the rubric of constitutional law is, "On what basis will the Court assert its power to decide this question?" Thus the only real issue in current constitutional law is, How, if at all, is it possible to justify the role the Court has assumed in the American system of government for the past three decades? Or, turning the prism through which we view the question a few degrees, Why should the American people prefer to have fundamental issues of social policy decided by majority vote of a committee of nine lawyers unelected and effectively holding office for life, rather than by the decentralized process of self-government provided for in the Constitution? Constitutional theory is in essence an attempt, witting or unwitting, to evade or obscure this question.

Constitutional theory consists in large part of writings calling our attention to the many actual and theoretical

difficulties involved in the interpretation of documents; "hermeneutics" has become perhaps the most indispensable part of the interpretive vocabulary. Though often interesting and sometimes even philosophically profound, these writings, happily, have very little relevance to the Constitution, because in almost no actual cases is any serious interpretive difficulty involved. In almost all actual cases it is clear that no provision of the Constitution can be thought to prohibit the challenged policy choice that has resulted from the ordinary political process.

The Constitution's prohibitions are relatively few—especially in regard to the states—and fairly clear and, therefore, rarely violated. The purpose of the Constitution was to create a stronger central government than our fledgling nation had had under the Articles of Confederation, primarily for very practical and mundane reasons of trade and defense. It was not adopted, as constitutional theorists seem to assume, to meet a felt need for additional protection of individual rights. On the contrary, the strengthened national government was rightly seen as dangerous to individual rights. The Constitution's scheme for their protection was to limit the national government to enumerated powers having to do almost entirely with commerce and defense and to leave matters of individual rights almost entirely to the states. The assumption by the Supreme Court, an arm of the national government, of virtually unlimited policy-making power in regard to individual rights is directly contrary to this scheme.

Given that federalism—the decentralization of power—was seen as the primary protection for individual rights, it is unsurprising that the Constitution contains very few provisions explicitly restricting the granted federal powers and even fewer restricting the general sovereignty retained by the states. As to the Federal Government, the original Constitution of 1789 granted a right of jury trial in criminal cases, protected the writ of habeas corpus, narrowly defined the crime of treason against the United States, and prohibited bills of attainder and ex post facto laws. This prohibition of bills of attainder and ex post facto laws was repeated as to the states, and they were in addition subjected to a prohibition, by far the most important in the original Constitution in terms of constitutional litigation, against laws "impairing the obligation of contracts," i.e., debtor-relief laws.

The first ten amendments to the Constitution—the so-



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called Bill of Rights, adopted two years later—add a few substantive and several procedural rights, all of which were intended to limit only the Federal Government, not the states. The vast bulk of the modern-era Supreme Court's constitutional decisions, however, involve not federal but state law—to which the Bill of Rights does not apply. Surprising as it would undoubtedly be to most Americans, nearly all of the Court's invalidations of state law purport to be based on a single constitutional provision, the Fourteenth Amendment, and indeed essentially on four words, "due process" and "equal protection," occurring in a single sentence of that amendment. As brief as the Constitution is, for the purposes of most of constitutional law it is very much briefer, coming down essentially to a single sentence of a single amendment that was adopted after the Civil War to ensure certain basic civil rights to the recently freed slaves.

**T**HE FACT THAT the bulk of constitutional law purports to be based on one or the other of two pairs of words should be sufficient in itself to demonstrate that it has little to do with the Constitution. No serious observer, much less a constitutional scholar, can really believe that the Supreme Court decides to invalidate state laws only when its careful study of the four words "due process" and "equal protection" compels it to do so. The work of constitutional theorists largely consists, nonetheless, of attempts to show that these four words do somehow contain what the Court has purported to find in them.

If the words "due process" and "equal protection" were in fact malleable enough to truly serve the purposes to which they are put, they could not serve as provisions of law. The two clauses would simply constitute an unlimited grant of policy-making power to the Court, and that would be all there is to say about the connection of constitutional law to the Constitution. No further issues of interpretation would be involved; only issues of social policy—particularly the issue of whether government by electorally unaccountable judges is a good form of government—would remain. In fact, however, there is no real mystery about the meaning of the due-process and equal-protection clauses; understanding them, fortunately, does not require, as constitutional theorists often claim, familiarity with the profundities of moral, political, or linguistic philosophy.

The history of the due-process clause of the Fourteenth Amendment—"nor shall any State deprive any person of life, liberty, or property, without due process of law"—traceable back through the Fifth Amendment all the way to the Magna Carta of 1225, corroborates what the words seem clearly to say: that the state may not act against the individual except through the ordinary established legal procedures. That guarantee is an extremely important one, despite the unsurprising fact that it is almost never violated—state and federal legislators are, after all, American citizens sharing American values and quite capable of reading the Constitution. As important as the due-process clause is,

it has absolutely nothing to do with, say, the power of New York State to limit the working hours of bakers or of Texas to restrict the availability of abortion. The Supreme Court's decisions to the contrary cannot in any intellectually respectable sense be said to represent interpretations of the clause. Those decisions constitute nothing other than the usurpation and exercise of policy-making power by the Court, the effect of which is to deprive the citizens of the states involved of their most important constitutionally guaranteed right, the right to local self-government on fundamental issues of social policy.

Similarly, there is no real doubt that the purpose of the equal-protection clause—"nor shall any state . . . deny to any person within its jurisdiction the equal protection of the laws"—was to prohibit certain discriminations by states on the basis of race. This, too, given our history, is a protection of great importance, but one that has absolutely nothing to do with the power of the states to make distinctions on many other grounds, such as on the basis of sex, alienage, or legitimacy. Supreme Court decisions denying the elected representatives of the people of the states the authority to make such distinctions are not legitimate constitutional decisions but are themselves unconstitutional or anti-constitutional acts in clear violation of the governmental scheme set up by the Constitution.

So blatant are these violations that some of the Supreme Court's most important decisions can hardly be discussed in public without provoking open laughter. Justice Douglas's opinions for the Court explaining why Connecticut cannot constitutionally prohibit the use of contraceptives and why Louisiana may not make distinctions on the basis of legitimacy provide particularly amusing, though unfortunately classic, examples.

The Fourteenth Amendment, Justice Douglas explained in *Griswold v. Connecticut*, in addition to making applicable to the states selected provisions of the Bill of Rights—a proposition for which there is not a shred of historical evidence—also subjects the states to restrictions that can be found in "the penumbras, formed by emanations" from various provisions of the Bill of Rights. In these penumbras, surprising though it may seem, there can be found, at least by Justice Douglas and some of his colleagues, a constitutional right to use contraceptives. To a constitutional theorist, but only to a constitutional theorist, even this is not enough to give the game away. One may still, with no sense of shame, they apparently believe, speak of the Court's constitutional interpretations; after all, penumbras too no doubt require interpretation.

In *Levy v. Louisiana*, Justice Douglas was able, by means of another dazzling display of lawyerly skills, to find a constitutional prohibition of distinctions on the basis of legitimacy without even consulting the Constitution's penumbras. Despite the fact that such distinctions go back to the beginning of Anglo-American law—and are even more common and strict in the civil-law system that Louisiana, alone in this country, follows—they were prohib-

ited by the equal-protection clause of the Fourteenth Amendment, as Justice Douglas discovered for the first time on the centennial of the adoption of that amendment. In lieu of any better or other authority for this proposition, Douglas cited the speech in *King Lear* in which Edmund the Bastard protests that he is as worthy "as honest madam's issue." Justice Douglas's service on the Court for more than a third of a century has been a major source of employment for constitutional theorists.

It is possible, of course, to prefer government by unelected, life-tenured judges to decentralized democratic

government; neither democracy nor federalism is mandated by the stars, and Plato undertook to defend government by philosopher-kings. The system of government by judiciary that we have now achieved, however, is openly defended by no one. It is in fact indefensible in the American context, where notions of local autonomy and government with the consent of the governed retain strong appeal. And that is why we have a cottage industry of shameless constitutional scholars manufacturing theories to explain that what the Supreme Court is really doing, if only properly understood, is interpreting the Constitution. □

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# The New Science

Michael Novak

**T**O STRUCTURE life around intellect is a distinctively Jewish and Christian impulse, a central thrust in what we mean by "the West." The God of Judaism and Christianity offers us in the Scripture the Names He most prefers: "I am Who am," Creator of all things, Truth, Light, Law. Jews and Christians are taught, in a way that Buddhists, Hindus, Animists, and others are not, that it is our vocation not merely to reflect the world, to contemplate it, or to be reconciled with it, but also to change it, to analyze it, seek out its secrets, reconstruct it, complete it. Judaism and Christianity understand nature as history, propel it even, with a cultural dynamism of which we are the heirs.

Three principles lie behind this distinctive cultural dynamism: first, that human beings are made in the image of the Creator and fulfill their vocation by creating; second, that the cause of the wealth of nations is intellect, fashioned also in the image of God; third, that the free exercise of intellect and creativity requires institutions—an *ordo*, a system—worthy of the dignity with which human beings have been endowed by their Creator. As Lord Acton describes it, "the History of Liberty" required centuries of reflection among Jews and Christians upon the identity that God had given them, before they could fashion institutions worthy of that gift. Trial and error were required, experiments, partial steps, advances and declines. And among the half-dozen greatest landmarks in that history was the Constitution of the United States.

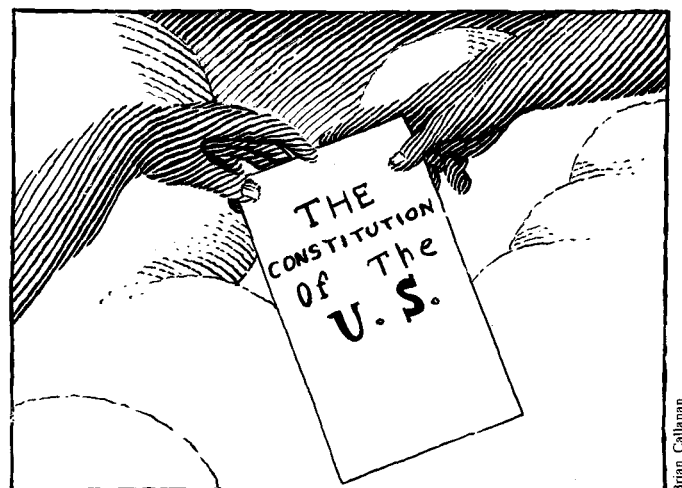
In perhaps the best single book on the Constitution that will appear during this two-hundredth-anniversary year, Walter Berns cites a claim of Thomas Jefferson that in America all Whigs "thought alike." The Declaration of Independence, Jefferson argued, neither aimed

at originality of principle or sentiment, nor yet copied from any particular and previous writing. . . . [it] was intended to be an expression of the American mind, and to give to that expression the proper tone and spirit called for by the occasion. All its authority rests then on the harmonizing of the sentiments of

the day, whether expressed in conversation, letters, printed essays, or in the elementary books of public right, as Aristotle, Cicero, Locke, Sidney, etc.

This is an important claim. On the one hand, it underlines the essential cultural and philosophical *unity* of the Framers and of the people whose consent they sought. On the other hand, it points to a characteristic of the Whig frame of mind: a respect for *diversity*, for individuals, for habits, for traditions, for particularities. Although the Framers were working within a relatively homogeneous culture, the words they wrote down, and the principles they enunciated, cast so wide a net that they have hardly in two hundred years had to be altered.

When the Framers announced a *novus ordo seclorum*—an enormous claim, that: "the new order of the ages"—they were expressing their awareness of their own originality. There was no model they could follow. They were inventing a republic unlike any other, *sui generis*. Nowhere in the world of their acquaintance—and they were well-traveled men, among them some who had ransacked the libraries of Paris and London searching out precedents—had they encountered any "world" like the one they proposed to build.



Brian Callanan

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**One main source of the destruction of early republics  
was envy. Envy is more destructive than hatred—more  
subtle, more easily rationalized, and more corrosive**

The Framers had, to be sure, learned much from England: a sense of the common law, a tradition of individual liberty. But the Framers also knew themselves to be breaking away from the English model. And British writers knew it, too: not only Lord Acton a century later, but also such writers as Adam Smith and Richard Cobden, who recommended that their countrymen emulate the new experiments of the Americans, particularly in economics.

What we are missing today, two hundred years after the Constitutional Convention, six score and two years after the death of Lincoln, is a sharp understanding of the originality of the American experiment. The Framers took it to be an experiment in accord with "the new science of politics." In the ninth *Federalist*, Hamilton went so far as to say that earlier republics had been "disordered," and,

if it had been found impracticable to have devised models of a more perfect structure, the enlightened friends to liberty would have been obliged to abandon the cause of that species of government as indefensible. The science of politics, however, like most other sciences, has received great improvement. The efficacy of various principles is now well understood, which were either not known at all, or imperfectly known to the ancients. The regular distribution of power into distinct departments; the introduction of legislative balances and checks; the institution of courts composed of judges holding their offices during good behavior; the representation of the people in the legislature by deputies of their own election: these are wholly new discoveries, or have made their principal progress toward perfection in modern times. They are means, and powerful means, by which the excellencies of republican government may be retained and its imperfections lessened or avoided.

Where in the university today would one find an understanding of that "new science of politics"? Where is the originality of these United States studied and emphasized? Unless I am mistaken, the general intellectual mood is to derogate from this originality and its universal importance, even in some quarters to despise it, and quite largely to ignore it. Yet the Framers gave a new and affirmative answer to a question that, it seemed, history had answered decisively in the negative.

**T**HE PROBLEM the Framers faced may be stated succinctly: While all Americans believed in republican principles, the republican experiments of the past had universally ended in bitter division, dissension, and self-destruction. Still, through "the new science of politics," the Framers knew two things the ancients and the medievals did not.

According to the old science of politics, to succeed, republics had to be small, based upon friendship and upon respect for one another's virtue. James Madison argued, rather, that the key to republican success lay in "the enlargement of the orbit"—that is, in a size sufficient to protect diversity. In this respect, 13 states united would form a safer republic than any one state alone. For the main historical dangers to republics had been two: tyranny

growing out of a dominant majority, and dissension arising out of envy. A larger orbit, Madison argued, would create room for many interests, diverse associations and sects, preventing any one from becoming a tyrannical majority. In the name of "the new science of politics," therefore, Madison argued for *unity* rather than division. But his aim was to gain *diversity* rather than homogeneity. In this respect, the national motto, *E pluribus unum*, has a particular and original force, a double level of meaning.

In addition, the old science of politics had known nothing of political economy as distinct from politics—of "the causes of the wealth of nations," or of the virtues of a republic anchored in commerce. It did not see even the possibility, let alone the necessity, of a commercial republic rather than an aristocratic or a democratic republic. By contrast, Madison grasped the new principle; viz., that, to protect liberty, a republic must foster economic diversity. Throughout his work, but especially in *Federalist* Numbers Ten and 51, Madison gave five reasons why this is so.

1. Commercial activities, Madison had learned from Montesquieu, soften fanaticism, teach practical compromise, give instruction in prudence, temper manners, and focus attention on small gains and small losses. The specific moral virtues and habits involved in commerce are not the most noble; nonetheless, they better protect what is most noble than any known alternative.

2. To focus the leading energies of the republic on material objects rather than on spiritual objects is more likely to prevent dissension, to nourish a spirit of compromise, and to make negotiation easier. Spiritual objects are indivisible, and spiritual principles are not amenable to compromise; whereas material things are divisible, so that deals may be struck, and negotiations may proceed on a reasonably calm basis.

3. Commercial activities characteristically set interest against interest. Differences in such matters as geography, climate, local economic advantages, access to transportation, and the unequal distribution of the resources of nature multiply the variety of special interests. This diversity of manufacturing and commercial interests works to prevent the growth of any one dominant majority, a necessary condition for the preservation of republican principles.

4. One main source of the destruction of early republics was envy. Envy is more destructive than hatred—more subtle, more easily rationalized, more easily disguised, and more corrosive. Envy destroys the instinct for the common good, setting part against part. It can be defeated only when citizens of every class or group have a well-grounded hope of improving their condition. For a stable republic, it is crucial that citizens compare their lot today not with the lot of their neighbors but with their own favorable expectations of the future. This comparison of self with self across time is crucial to a sense of self-mastery and achievement. It is necessary for high morale. It generates love for the republic that makes the improvement possible.

(Continues on page 58)

## NO SLACKING

**M**ARGARET THATCHER scored a tremendous victory, far greater than she or the Conservative Party managers had dared to expect. Not for 160 years had a British prime minister been elected for a third successive term: and Mrs. Thatcher was not merely re-elected but given another landslide, 376 seats out of the 650 in Parliament, for a 102-seat majority. Two questions, then: Why? and, What does her victory portend?

The vote divided substantially on geographical lines. London and the southeast, indeed most of southern England, voted solidly Conservative; eight years of Thatcherite government, with inflation and trade-union power curbed, income tax down, and a huge increase in the number of homeowners and shareholders, had given people something to confirm. But in Scotland, Wales, and much of northern England, where the old heavy industries are in irrevocable decline, the Socialist vote was almost equally solid. The Liberal/Social Democratic Alliance did badly everywhere, because the wishy-washy middle-of-the-road vote was too evenly distributed across the country.

The campaign was very unpleasant. A three-and-a-half-week campaign may sound agreeably brief, but it followed months, in fact years, of constant politicking; and for 27 days electioneering monopolized the press and television. The video rental shops boomed.

The television campaign was professionally and unprecedentedly bland. The Labour Party leader, Neil Kinnock, was packaged like a box of chocolates, shown in soft focus, to the accompaniment of music by Brahms, gazing out to sea with his arm around his lovely wife, Glenys. This little soap opera, which was considered such a success that the party propagandists repeated it just before polling day, was made

by Hugh Hudson, who directed *Chariots of Fire*. While the candidates toured the country, patting dogs, hugging grannies, and literally kissing babies, the television-news coverage consisted mainly of "photo opportunities," while public-relations officers pushed reporters back, telling them, in a memorable phrase, "No words today."

The press, on the other hand, fought a very rough campaign. A motley collection of bishops and affluent intellectuals was wheeled on by upmarket left-wing papers to explain that voting Labour was the only "civilized" thing to do, while the right-wing press warned of "Labour's lies" and claimed that (to quote a *Daily Mail* headline) "The Tyrants Are Waiting." The *Sun* even hired a psychic to consult great figures from the past; Winston Churchill and Boadicea, it seems, both supported Mrs. Thatcher, Stalin favored the Labour Party, and Genghis Khan said he would spoil his ballot paper rather than vote for a talking-shop.

**D**URING THE final days, however, the Labour Party leaders were, to some extent, flushed out, and they made three serious, perhaps disastrous, mistakes. Pressed to explain how a nuclear-disarmed country could resist attack by a foe bristling with nuclear weapons, Mr. Kinnock said that the Russians would be deterred from invading Britain by the prospect of guerrilla resistance, as in Afghanistan. Jaws dropped all around. Then, while the Labour Party was attacking Mrs. Thatcher for having used a private hospital instead of the National Health Service, it was revealed that the wife of Denis Healey, Labour's foreign-affairs spokesman, had done exactly the same thing, and he was foolish enough to be very rude to a young girl interviewer on television who raised the matter. Less spectacularly but more insidiously, Labour's promise that only

"the rich" would suffer from increased taxation was shown simply not to be arithmetically plausible.

The political map of Britain emerged from election day largely unaltered. But the prospects have changed.

The big disappointment is that the Liberal/Social Democratic Alliance did so badly. Not that it deserved to fare better—its ideas were woolly and its leadership was divided—but Britain urgently needs a respectable non-Socialist opposition party. The Alliance is now wondering if it has a future.

The problem for the Labour Party is that its traditional working-class and trade-union base is being eroded, while its new coalition of militant Marxists, welfare beneficiaries, public employees, feminists, homosexuals, and aggressive self-appointed representatives of the black immigrant community is not large enough to win an election and positively deters other sorts of voters. The Labour Party needs to change not just its televisual image but the underlying reality. However, since its new members of Parliament are further to the left than ever before, such a transformation may not be possible.

For Mrs. Thatcher's government there is the opportunity to build on foundations that have already been laid. The economic indicators really are very favorable: but there is much more to be done. "No slacking" were her characteristic first words after victory was assured. Public spending and taxation need to come down further. The school system needs radical reform. The benefits and attitudes of a free-enterprise society must somehow be extended to the inner cities and to the north.

In 1959 Harold Macmillan won a victory similar to Mrs. Thatcher's—and did nothing with it. Mrs. Thatcher, however, is less world-weary and more determined. She believes, as Macmillan never really believed, that Britain's decline can be, indeed now has been, halted and even reversed. □

*Mr. Lejeune is NR's longtime London correspondent.*



## *nce upon a time,*

long, long ago, we had what we thought was a very good idea, which was: Why not ask our own readers to help us find *new* readers? Heavens no! said wiser heads than ours (we were very new at this kind of thing), that's just plain asking too much of *anybody*. Oho, we answered, but our readers *aren't* just anybody, and we can't broadcast invitations like mass-circulation magazines and take on anyone who answers. No, the people we must look for are people very much like the readers we already have—people with similar ideas and outlook, tastes and values—the very ones, it seems logical to assume, who are much better known to *you* than to us, because they are your friends and relations and business associates, etc. And lo these many years we have asked our readers to rrrriipp out a postcard (just like the one facing this page) and use it to introduce some worthy friend to NR—give it to him with your recommendation, or use it to send an introductory gift subscription. And you have: thousands of you have done this simple but invaluable favor for us (some of you many, many times!). Without that kind of help from you, NR could never have become what indeed it has become—one of America's most influential publications. Influence someone *you* know today. As we so often say, just use the card facing this page today!



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# CAPITAL BULLETINS

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## Gotta Have Hart

**B**EWITCHED, BOTHERED, and bewil-  
dered—that's Moscow's reaction to  
Gary Hart's sudden fall from electoral  
grace, for what Moscow papers deli-  
cately referred to (always in quotes)  
as his "marital infidelity." From the  
tone of Soviet media coverage, Hart  
might well be the pride of Kazakhstan  
rather than Denver. In the first official  
Soviet dispatch on the subject (*Pravda*,  
May 9) TASS called the charges  
against Hart a political vendetta: "The  
press, radio, and television shamelessly  
smacked their lips over discredited  
rumors and conjecture about his per-  
sonal life, striving at any cost to com-  
promise Hart." As a result of the  
harassment campaign, according to an-  
other TASS dispatch, "Hart's popular-  
ity started to decline and all donations  
to his election fund were stopped." *Cui bono?* asked the Soviet press agen-  
cy. Easy: "Those who want to divert  
public attention from the real scandal  
—the U.S. secret arms sales to Iran  
and the unlawful aid to the Contras."

Vitaly Gan, *Pravda's* special cor-  
respondent in Washington, concurred:  
"The skillfully whipped-up scandal  
over Hart has now filled the television  
screens and newspapers, pretty well  
crowding out the investigations [that]  
have begun in Congress into the Ad-  
ministration's really dirty affair, known  
as 'Iran-Contragate.'" Gan concluded,  
"There is open rejoicing in the Re-  
publican camp. Hart was regarded as  
a real and very serious rival capable  
of attracting the voters, who were in-  
creasingly turning away from the 'Rea-  
gan Revolution.'"

Moscow's handling of the Demo-  
crats' Hartache was consistent with a  
new and little-remarked tendency in  
the Soviet media's American cover-  
age: dabbling in partisan politics (see  
"What the Soviets Think about Amer-  
ican Liberals," by Dinesh D'Souza,  
*NR*, Jan. 30). In Soviet news reports,  
American political figures are either  
corrupt (i.e., Republicans) or progres-

sive—pure in heart, mind, and body  
(i.e., Democrats). With friends like  
these, do the Democrats need enemies?

—JAMES OBERG

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## Trouble in Grove City

**P**RO-LIFE SENATORS face an uphill  
battle to keep the Civil Rights  
Restoration Act, poised for passage in  
midsummer, from becoming a pro-  
abortion tool. Popularly known as the  
Grove City bill (because it reverses  
a 1984 Supreme Court ruling of that  
name), the legislation would make the  
whole of any college that enrolls  
even one student receiving federal aid  
subject to the Title IX prohibition  
against sex discrimination. Without an  
abortion-neutral amendment, pro-life  
forces say, the Grove City bill might  
require even Catholic universities and  
hospitals to perform abortions and to  
provide abortion coverage for their em-  
ployees.

Lobbyists for black and feminist  
groups say the abortion-neutral amend-  
ment is unnecessary, a red herring  
dreamed up to distract attention from  
the real issues. Sterling Jones, a lob-  
byist for the NAACP, said his organ-  
ization (which takes no position on  
abortion) opposes the amendment be-  
cause it "violates the spirit of the bill,  
which is to totally restore the legis-  
lation to what it was before the Su-  
preme Court decision." Asked whether,  
without the abortion-neutral amend-  
ment, the bill might require Catholic  
hospitals to perform abortions, Jones  
replied, "The best way to answer that  
question is to look at whether that  
happened prior to the 1984 decision."

"Nonsense," replies Bruce Fein, a  
visiting fellow in constitutional studies  
at Heritage. Prior to the 1984 de-  
cision, the Supreme Court had never  
determined whether refusing to provide  
abortions constituted gender discrimi-  
nation under Title IX. Moreover, said  
Fein, although the original language  
of the bill is ambiguous, the courts

will interpret rejection of an abortion-  
neutral amendment as evidence that  
Congress does consider failure to pro-  
vide abortions a form of gender dis-  
crimination. "It's legislation by covert  
action with the collusion of the judi-  
ciary," Fein maintained. "Another effort  
by Congress to avoid responsibility for  
tough policy decisions its constituents  
may not like."

The bill's supporters claim religious  
organizations can apply for exemption.  
True in theory, says Doug Johnson  
of the National Right to Life Com-  
mittee, but Senator Kennedy carefully  
inserted provisions in the bill strictly  
limiting exemptions. "The only people  
who could get exemptions would be  
seminaries," says Johnson.

Lobbyists on both sides agree the  
vote on the abortion-neutral amend-  
ment (expected in early July) will  
be a close one. The outcome depends  
on which way a handful of undecided  
Republicans go, including Alan Simp-  
son, William Roth, Ted Stevens, Pete  
Wilson, Thad Cochran, Warren Rud-  
man, John Heinz, and Arlen Specter.

—MAGGIE GALLAGHER

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## No More Mr. Nice Guys

**S**INCE MID MAY, Senate Republicans,  
who began this term of Congress  
cooperating with Democrats to over-  
ride two presidential vetoes, have  
turned feisty. Heritage Foundation ana-  
lyst Gordon Jones, a close observer of  
the Senate since his days at the Re-  
publican Policy Committee, says the  
Republicans are succeeding at block-  
ing most new Democratic initiatives.  
"They can't bring anything up," says  
Jones. The Republicans blocked action  
on a bill changing campaign-financing  
laws and threaten to do the same on  
this year's trade legislation.

In a pending defense appropriations  
bill, Democratic Senators Sam Nunn  
and Carl Levin inserted language en-  
dorsing a restrictive interpretation of  
the ABM Treaty, a move Republicans  
read as an attempt to block SDI  
development. On May 13, Majority  
Leader Robert Byrd tried to block a  
threatened GOP filibuster by bringing  
the bill up during the routine morn-  
ing hour, when debate is limited. Re-  
publican Senator Gordon Humphrey

jumped up from his desk yelling, "Dictatorship!" while Minority Leader Robert Dole dug up an obscure parliamentary rule that successfully stalled Byrd's motion.

Senate Republicans have "taken a while to adjust to being the minority again," admits Tom Lowery, press secretary to Idaho Republican Steve Symms. But in the coming months, Lowery suggests, Republicans will take on a more dynamic role, amending Democratic bills to force votes on conservative issues. The point, says Conservative Caucus lobbyist David Sanders, "is to make the Democrats cast tough votes," which conservatives can use against them in 1988. Sanders predicts foreign policy will be the principal area of confrontation, with the Senate GOP taking on the Reagan Administration as well as the Democrats. In an effort to stop the State Department from supporting Marxist Mozambique, for example, Senator Jesse Helms, with Senator Dole's support, has blocked a vote on the nomination of Melissa Wells as Reagan's new ambassador to Mozambique. Tom Boney, minority staffer to the Foreign Relations Committee (where Helms is the ranking Republican), said that Mrs. Wells "is totally unwilling to deal with Renamo [the anti-Communist rebel organization in Mozambique] and she claims that she is simply following State Department policy. Senator Helms and Senator Dole and others believe that is an inappropriate policy." And if an arms-control treaty reaches the Senate, Sanders says, expect a fight.

—HENRY KLINGEMAN

## The Empire Strikes Back

**D**OES THE United States have in place a system to defend against nuclear-missile attack? According to a recent poll, 64 per cent of the American people think so, yet right now, notes Senator Malcolm Wallop, the U.S. can't defend itself against a single nuclear missile. "There is nowhere in our Armed Forces the mission to defend this nation from nuclear attack," said Wallop. So, in April, Wallop and Senator Orrin Hatch, along with Jack Kemp and Jim Courter in the House, introduced legislation that would cre-

ate a fourth branch of the armed services "to defend the United States against all aerial threats, including ballistic missiles." The bill would create a new Secretary of the Defense Force and transfer all space-related functions of other branches, including the Army Strategic Defense Command, NORAD, the Air Force Space Division, the Unified Space Command, all space activities of the Navy, and the space support elements of the Office of the Secretary of the Air Force, to the new Department of the Defense Force. The bill also sets deadlines for the development of a defense against nuclear attack. A space-based rocket system to destroy ballistic missiles would have to be tested in space 18 months after enactment of the bill; a space-based laser-weapons system space-tested within four years; a ground-based anti-missile system for destroying re-entry vehicles tested within three years; and a mobile, ground-based system tested within two years.

Supporters of the bill say the measure is necessary because the Reagan Administration has delayed the building and deployment of SDI. Major David Rigby, a spokesman for the Strategic Defense Initiative Organization (the government agency charged with developing SDI), has maintained that "the SDIO is a research effort to explore technology that could support an effective defense against ballistic missiles. A decision as to the deployment has not been made." Actually the Reagan Administration has made a decision on deployment: The answer, for the moment, is no. *Time* magazine recently quoted Secretary of Defense Cap Weinberger as saying, "I specifically ruled out the use of off-the-shelf technology . . ."

The Defense Force bill is unlikely to pass this term. But supporters hope

to push the military to get going on nuclear defense by threatening to move in on its turf, according to Jack Crouch, a legislative assistant to Senator Wallop. The bill's supporters say they will probably succeed in passing a sense-of-the Congress resolution saying it should be the mission of the Armed Forces to defend the U.S. against nuclear weapons. At the very least, Republicans aim to expose what the Democrats' attempt to hamstring SDI means: no defense against nuclear attack.

—R. CORT KIRKWOOD

## The Book of Jobs

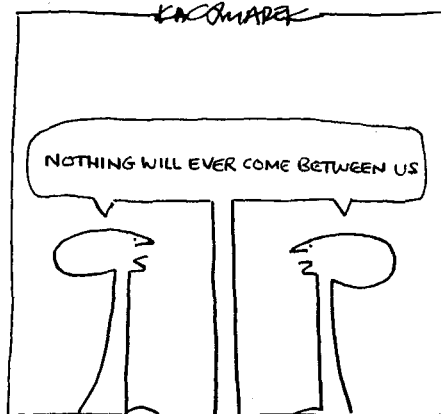
**S**UPPORTERS of the 1983 Emergency Jobs bill had no doubts about the virtues of the legislation. "We're talking about creating up to 600,000 jobs within ninety days of enactment," boasted Representative Frank Annunzio (D., Ill.). But according to a recent GAO study, undertaken at the request of Senator Dan Quayle (R., Ind.), the bill created only 35,000 jobs at a cost of \$88,571 apiece, "less than 1 per cent of the 5.8 million jobs created by the economy since the act was passed." At the ninety-day mark, said David Bixel, who helped prepare the GAO report, there weren't enough jobs created to be worth counting.

As usual, huge chunks of money ended up in districts of powerful senators. Representative Mark Siljander (R., Mich.) pointed out at the time that "in Hyannis, Massachusetts, there is \$10 million targeted in the bill to improve the Amtrak rail line, while a city like Benton Harbor, Michigan, suffers from 33.7 per cent unemployment."

Senator Quayle (who voted for the jobs bill) asked for the GAO study in the hope that history might be prevented from repeating itself. Robert Guttman, an aide to Senator Quayle, said, "We hope that with something solid in the record we might avoid this again. Perhaps if they tried it again somebody would pull this report and they would think twice."

Then again, maybe not. House Speaker Jim Wright, Senator Carl Levin, Representative Annunzio, and Representative Jamie Whitten, key supporters of the bill, refused to comment on the report.

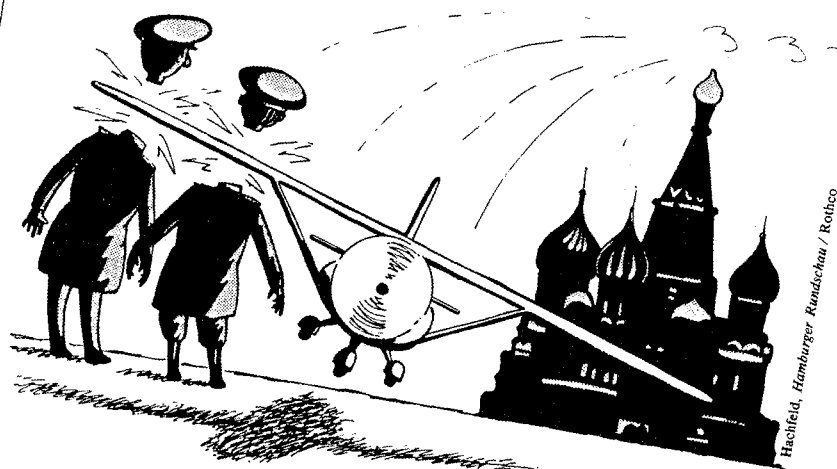
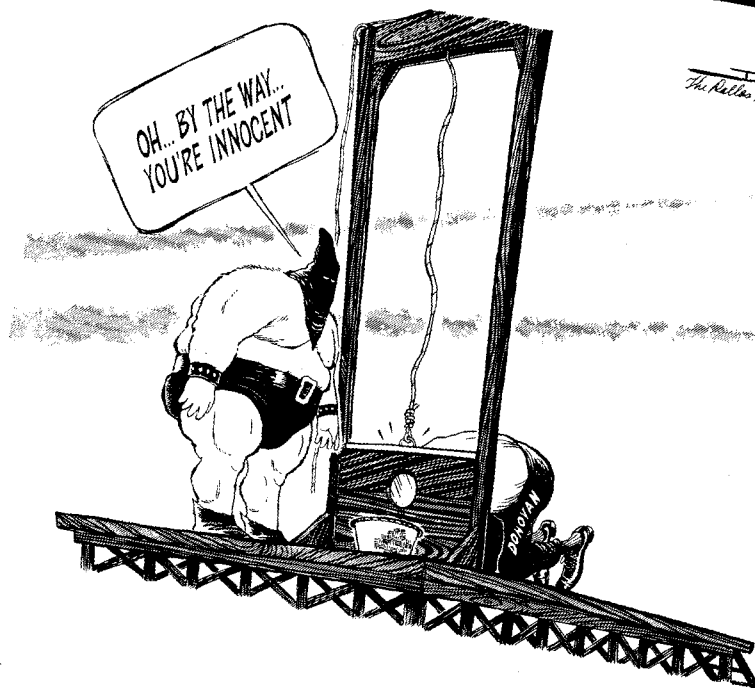
—MICHAEL FUMENTO



# help



"I hate to disappoint you, but I just don't feel like swashbuckling."



Hachfeld, Hamburger Rundschau / Rothco



## A Family Tradition

Mrs. Gandhi, bird of prey,  
Swallowed Sikkim in a day,  
As dad did, one afternoon,  
Goa in—with a platoon.  
Now, recalling Borgia ways  
Honored in their children's days,  
Sonny has been showing dash  
Settling poor Sri Lanka's hash.

W. H. VON DREELE

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WYNNE Chicago Tribune



GIPPER THE GONDOLIER

# A THUNDERCLAP

**G**ORBACHEV's proposal that all nuclear missiles be removed from European soil broke over Western Europe like a thunderclap. The *pars maior et insanior*, the majority, welcomes this proposal as another sign of the USSR's decision to embark on the road to sanity, peace, tolerance, humaneness, freedom, and all other imaginable virtues. The average European, like people everywhere, is a wishful thinker. The news from Moscow sounds so good and reassuring. And the European (as all other) masses think in clichés.

The intelligent minority rightly sees in the Soviet proposal a new menace: Not only would the "balance of terror," which has kept the peace in Europe (though only in Europe) since 1948, come to an end, but the immense Soviet superiority in conventional armaments would become glaringly evident. The old observation that initiatives—peaceful or warlike—always come from nondemocratic and ideologically motivated states has been demonstrated with cruel clarity. The democracies have so far only tried to parry Soviet blows. On the rare occasions when they succeed they burst into paeans of self-congratulation and then start waiting anxiously for the next challenge.

Predictably, the European Left, including the leftist Greens with their general fear of things nuclear, whether in the form of weapons or power plants, are delighted with the Soviet proposal. Their anti-technological stand, which all too often has an anti-industrial and thus anti-capitalist character, pushes them into that position—where they are joined, not surprisingly, by European conservatives. (A joint congress of Greens and conservatives took place in the South Tyrol recently.) European conservatives, with their strongly agrarian background, have always been leery of technological advances. Neither the castle nor the

church ever had much love for the factory or the bank.

What all this naïve rejoicing misses is the Soviets' superiority in conventional weapons. About the fighting spirit of the Red Army we can only conjecture. But the superior conventional arms of the Red Empire undoubtedly constitute a grave menace to Europe. (And let us harbor no illusions based on contempt for standards of quality in Soviet manufacturing. Some of the Soviet arms taken from SWAPO at the Angolan border are, according to the Namibian military command, of very high quality indeed.) And, like the National Socialists, the International Socialists do not ask the people over whom they rule for their preferences. The government decides how their money will be spent.

West of the Iron Curtain, however, these decisions are made by the ever-changing parliaments. What we must keep in mind about parliaments is that their members are politicians; and the typical politician will sacrifice his mother, his wife, his sister, his daughter to be re-elected. To spend vast sums of money on armaments is not popular; instead, the Santa Claus parties, with their promises of government handouts, normally win.

**S**TILL-FREE EUROPE, in spite of serious unemployment, now enjoys very high living standards and standards of "life quality." Two American institutes investigating the latter have recently given Denmark first place among the world's nations, with Austria and Italy tied for second. The United States ranks far down on the list. Nevertheless, life quality is connected with living standards, and these are, in Europe, infinitely higher than in the past, thanks to the use of advanced technology, which has greatly increased the individual output of blue- and white-collar workers, and

thanks to the facts that Europe is rid of its colonies, and that defense expenditures are modest.

The Provider State, wrongly called the "welfare state," is the main recipient of the exorbitant taxes, which are much higher here than in the United States. All this is very sad. The Provider State might provide for your food, housing, and entertainment, but it does not provide for national independence. And it certainly does not provide for your freedom under alien rule or for your physical survival in case of attack. All of which does not prevent a "popular leader"—*demagogos* in Greek—from declaring that all the money spent on arms merely benefits the "elitist military caste." Predictably, European peaceniks are now demonstrating for "denuclearization" and for the acceptance of any Soviet proposal. The British and French governments, meanwhile, are keeping mum: They know that the long weekend under America's atomic umbrella is drawing to a close.

Level-headed democracies do exist. There is Switzerland, for example—though it will always remain unique and inimitable. In March a referendum was held there on the tightening of immigration laws and on the "popular control" of arms expenditures. (As of a few years ago the military budget amounted to 34 per cent of the national budget, an allocation second only to Israel's.) The first question, proposed by the Right, was answered with a clear yes; the second, advanced by the Socialists, with an equally clear no. Our parliamentarians might have the intelligence of the Swiss, but not their firm consciences. The voting at a referendum remains secret, but the decisions of politicians become known. Thus Europe's leaders, hesitating between the nuclear umbrella, exposure to the Soviets' conventional arsenal, and effective rearmament, are facing an enormously difficult decision. □

# BOOKS ARTS & MANNERS

## THE FOXES' SIDE

**Joseph Sobran**

*Steering the Elephant: How Washington Works, edited by Robert Rector and Michael Sanera (Universe, 356 pp., \$24.95)*

**W**HEN CONSERVATIVES won a surprise landslide victory in 1980—a Republican majority in the Senate along with Ronald Reagan's Presidency—a mixture of complacency and bafflement set in. The general feeling was more or less: "Well, we won. When do they give us the prize?"

We're still waiting. The suspicion grows that they aren't going to give it to us.

Conservatives working in the executive branch realized this early and often. The federal bureaucracy turned out to be not only inert but downright hostile. Liberals adopted the war cry: "Reagan is appointing the foxes to guard the chicken coop." With barely one political appointee for every thousand career bureaucrats (not counting the military), it was inevitable that a lot of foxes were going to be pecked to death.

*Steering the Elephant* tells the fox-

es' side of the story. Two dozen conservatives, most of them Reagan appointees past or present, describe and analyze the battle to bring the executive branch under executive control. It isn't light reading: It's downright grim, and some of the contributors' prose lacks the festive touch. (I can do without reading the phrase "decision-making process" again for a while.) But anyone who reads it, or keeps it on hand as a reference book, will understand government in a whole new light, very unlike that cast by the textbooks. The title might have been *Civics for Suckers*. It's mighty thinky, as you would expect from contributors like M. Stanton Evans, Bruce Fein, Morton Blackwell, William Niskanen, Donald Devine, Jeane Kirkpatrick, and Tom Pauken.

Bureaucracy is theoretically instrumental to sovereign purposes, but Evans suggests that it be thought of on the model of a biological organism, with its own energies and interests, resistant to extrinsic forces, including its nominal heads. Some career bureaucrats refer to political appointees as "the Christmas help," the idea being that they won't be around long.

The tension between the two classes has an extra dimension under Reagan, as the chicken-coop image implies: Many bureaucracies in Washington are institutionalizations of liberal purposes, and Reagan appointees often want to

turn them to new ends, scale them down, or abolish them. The D.C. establishment assumes all these to be sinister undertakings—it's taken for granted that no federal agency should yield to a mere elected government—and labors to frustrate them. The *Washington Post* plays a regular and crucial part in this process, expressing the career bureaucrats' viewpoint and embarrassing Reaganites whenever possible—a recurrent theme in this book. No other paper is ever mentioned; few Americans have any idea how influential the *Post* is in Washington infighting, or how large a role it consequently plays in American life.

This book defies summary, but a few important lessons emerge. Robert Rector, one of the editors, sums up a lot of experience by pointing out that private management techniques are irrelevant to government bureaucracies. In the private economy, the market imposes ends on an organization: It has to make a profit to continue existing. But a state bureaucracy doesn't have to worry about going out of business: Sometimes its inefficiency can result in its getting *more* funding.

And whereas private management's goals are givens, the essence of bureaucratic management lies in choosing and imposing goals on the agency. One of Rector's astute observations is that performance in federal agencies is often measured by arbitrarily selected statistical standards (the "poverty line," for instance) that appear scientific and value-neutral but in fact embody liberal policy goals. He recommends that conservatives work to establish their own statistical indices.

In a charmingly written essay, Morton Blackwell argues that conservatives have to stop thinking of the Republican Party as a meaningful organization. Misguided ideas of party loyalty

*M. D. Aeschliman teaches English at the University of Virginia.*

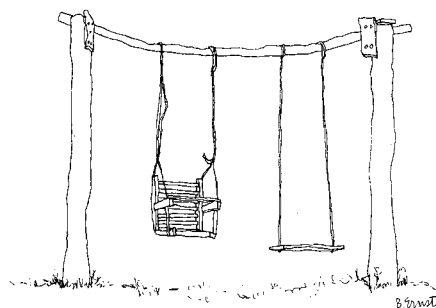
*Aram Bakshian Jr. is Vice President for Executive Communications at Merrill Lynch and writes frequently on politics, history, and the arts.*

*David Brooks is book-review editor of the Wall Street Journal.*

*Thomas P. McDonnell, a former staff writer for The Pilot, is now a freelance writer in the Boston area.*

*William McGurn is deputy editorial-page editor of the Asian Wall Street Journal.*

*Jeffrey Meyers is the author of Hemingway: A Biography, Disease and the Novel, and The Legacy of D. H. Lawrence.*



have hampered conservative policy initiatives; Republicans sometimes don't want to undertake anything that might displease either Jesse Helms or Lowell Weicker. Forget Weicker. He has no party loyalty anyway. (And why *should* he have any?) Tip O'Neill never worried about leaving "Boll Weevil" Democrats behind, and Blackwell thinks that made him an effective leader.

Blackwell and Bruce Fein, among others, also stress the importance of being willing to lose in the short term for the purpose of keeping the initiative, changing the terms of debate, educating the public. But the Administration has too often preferred a small retreat to risking a small defeat. William Niskanen offers a nice maxim for Reaganites: "If you're not frustrated in your job, you have the wrong job." Conservatives have to keep testing the limits and learn to use such liberal weapons as dogged litigating: Joseph A. Morris notes that gains can be made even in a losing lawsuit, and Blackwell reminds us that you can win politically even when you lose legislatively.

One section of the book is devoted to specific cases. The Legal Services Corporation is the most flagrant example of a federal agency devoted to leftist causes: LeaAnne Bernstein notes, "LSC lawyers sued to prevent the holding of the special election won by Phil Gramm in Texas." Tom Pauken likewise remarks that the Left was using tax money for political purposes at the same time it was trying to limit private campaign spending; he also recalls that his military record was held against him when he was appointed to head ACTION, although one of his predecessors, Sam Brown, had been confirmed despite having advocated Communist victory in Vietnam.

Evans and others emphasize that we're in "an information battle." Time and again it's made clear that bureaucrats excel at controlling and bottling up facts—and leaking them, when occasion warrants. The "adversary press" is very cozy indeed with its comrades in the permanent government; no adversary relationship there!

Washington is the graduate school of hard knocks, but *Steering the Elephant* is evidence that conservatives are mastering the courses. With 1988 looming, let's hope this bright class is

## RANDOM NOTES

□ MORE JULY TITLES: *Anthony Eden: A Biography* (McGraw-Hill, \$22.95), by Robert Rhodes James, is an excellent and important biography by the famous British historian and MP, who was given access to the former prime minister's private papers. James provides new insights into Eden's resignation in 1938 over Chamberlain's appeasement policy, and his role in the Geneva Conference of 1954 and the Suez crisis of 1956. . . . *Major Butler's Legacy: Five Generations of a Slaveholding Family* (University of Georgia, \$29.95), by Malcolm Bell Jr., is a well-researched and engaging study of Pierce Butler—a British army officer who resigned his commission in 1771 to marry into a wealthy South Carolina family; who, as a delegate to the Constitutional Convention, helped to

beat down the anti-slavery forces there; and who later managed his plantation properties, including six hundred slaves, from a Philadelphia townhouse, the while regretting his ownership of a single one of the "wretched Africans"—and his descendants through the early 1900s.

Barrie Ruth Straus's new *The Catholic Church* (Hippocrene, \$14.95) is the first volume in the Religions of the World series, tracing the history of the Church from its earliest days as a Jewish sect to the present, with particular emphasis on its relation to history and the transformations effected thereby.

□ LEFT FROM MAY: *Classic Scandinavian Cooking* (Scribner's, \$18.95), by Nika Hazelton, is a new edition of *The Art of Scandinavian Cooking*—published more than twenty years ago—revised and updated to reflect the changes in Scandinavian and American diets since that time. —CW

around long enough to put its education to work. □

## THE WISDOM OF THE OWL

William McGurn

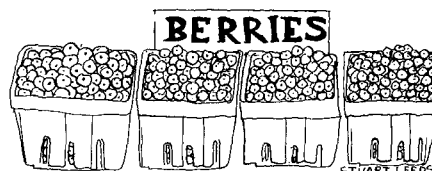
*Interpretation and Social Criticism*, by Michael Walzer (Harvard, 96 pp., \$12.50)

AT LEAST SINCE the Enlightenment, when conventional notions of morality were stood on their heads, the intellectual class has found itself in diligent pursuit of its own elusive Holy Grail: a universal and rational order created, *à la* Descartes, from nothing. Wherever these folks have managed to put one of their abstractions into practice, of course, the result has been a drastic increase in some form of misery, from the terror of Revolutionary France to the camps of Nazi Germany to the Soviet-inspired Gulags that dot the world today. Yet despite these notorious failures, the idea that only the uncommitted and completely detached outsider can offer a valid moral critique of society has somehow triumphed.

It's time someone came along to dispute this notion, and now someone has. In *Interpretation and Social Criticism*, Michael Walzer, a professor of social science at the Institute for Advanced Study in Princeton, New Jersey, brings his characteristic blend of horse sense and historical perspective to bear on the issue. "Social criticism," he says, "is less the practical offspring of scientific knowledge than the educated cousin of common complaint." It is essentially communal by nature, and thus the best critic is one who "is not an enemy," one who despite his indictments "want[s] things to go well."

At the outset, Walzer distinguishes between "three paths" of moral criticism: discovery, invention, and interpretation. Roughly, these correspond to religious revelation, philosophical creation, and social adaptation, and Walzer suggests that it is in the give-and-take of the last category that the social critic is most effective. What the social critic has to offer is, as he calls it, "the wisdom of the owl": accepting the given moral framework though possibly—indeed usually—"fiercely opposed to this or that prevailing practice or institutional arrangement."

The chief objection lodged against this view of criticism is that the socially "connected" critic might not have the distance or perspective necessary for genuine criticism; he might, in other words, be too wed to the status quo, out of his own self-interest.



This is exactly the charge leveled by "scientific" critics such as Marx, and it does have a certain undeniable validity, as witness the justifications for apartheid in South Africa and (ironically) for the class struggle in the most entrenched and self-interested order of our time, the Communist world.

Walzer has no problem with the idea that criticism requires perspective, denying only that the critic who steps back can ever "step back all the way to nowhere." In sharp contrast to the "alienated" rebel of today's romantic lore, Walzer's paradigmatic critic is the Old Testament prophet. Walzer points out that the prophets' attachment to the Law and the teachings of Israel did not prevent them from uttering scathing indictments of the society about them. Indeed, their understood attachment to the society gave their message more force.

Walzer's particular favorite among these original social critics is Amos, the "first and possibly the most radical of Israel's literary prophets." Like the others, Amos shuns the notion that he is offering anything new; instead, he is stung to criticism by the violation of the existing law. It is the hypocrisy that enrages, the great divide between what is publicly proclaimed and what is privately practiced. His job is to expose the shortcomings in the latter and thus bring the two more into line, and in so doing he follows the critical pattern: He "begins with revulsion and ends with affirmation"—revulsion at the hypocrisy, yet affirmation of the core values.

Although Walzer dismisses both religious discovery and philosophical speculation as models, he is much harder on the latter than on the former. "'Don't be indifferent' is not at all the same thing as 'Love thy neighbor as thyself,'" he notes. Even when philosophical constructs are not mealy-mouthed, as in utilitarianism, their inventors tend to "fiddle with the felicitic calculus so that it yields results closer to what we all think." The long and short of it is that critics have to begin somewhere, and Walzer suggests that, rather than go through all these contortions, we might as well begin with what we have.

For the most part, Walzer's arguments are cogent and wise; but, at



96 pages, cogency is more vice than virtue, an intellectual Chinese meal that leaves the reader hungry for more. True, he says he hopes this will ultimately prove the introduction for a larger volume; if so, he probably ought to have waited. However refreshing his argument here, it exhibits none of the extensive practical examples that characterized his *Just and Unjust Wars*, nor any of the profound social exegesis of his *Exodus and Revolution*.

A real judgment, therefore, must await delivery of the promised larger work. In the meantime, we are left with this tantalizing morsel. As Walzer points out, the assumption of criticism today is that some rational trump card will settle the debate once and for all. His own aim is far more modest: to provide the common reference points that allow a debate to get going in the first place. □

## THE GREAT DIVORCE

David Brooks

*New York Intellect: A History of Intellectual Life in New York City, from 1750 to the Beginnings of Our Own Time, by Thomas Bender (Knopf, 422 pp., \$25)*

**N**OT TOO LONG ago, the editor of *The Nation* ran a series of devastating essays against a government plan that would limit how long an employee could work every day. The contract between a firm and its employees was none of the government's damn business, *The Nation* roared. When the initiative of the American worker is constrained by government, the magazine continued, economic stagnation results.

The not too long ago I'm referring to is 1865, a mere tick ago in geological time. Of course if we are measuring time by the pace of intellectual fashion, 1865 appears as distant as the Pre-Cambrian era. The antagonism that New York intellectuals in general and *The Nation* in particular feel toward business now seems as solid and everlasting as New York's famous bedrock. But of course it isn't. In *New York Intellect: A History of Intel-*

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*lectual Life in New York, from 1750 to the Beginnings of Our Own Time*, Thomas Bender gives us a glimpse of another intellectual world.

It was a world based on talk, not books. In pre-industrial America, talk was the medium of intellectual exchange, and books, though cherished, played a secondary role. This meant that the generators of ideas had to fraternize with the people who were interested in ideas. In New York in the eighteenth and early nineteenth centuries, these exchanges took place at formal clubs.

The Friendly Club was, according to one member, "a republic of intellect." Businessmen, lawyers, doctors, writers, politicians, and "men of literary leisure" met each week at the home of one of the members. There, they would talk about Gibbon, Hume, crime, politics, and other such topics, with the emphasis on reaping some specific benefit from each discussion. If the conversation was of the spontaneous, freewheeling sort that we favor today, the members of the club would go home and write in their journals (as one did, according to Bender) that the session was "agreeable" and "somewhat ingenious" but "pitifully rambling and uninformative." Conversation was not taken lightly. If a group of merchants spent an evening talking about justice, they wanted the talk to be efficient and productive.

When the Federal Government decided, following the Jeffersonian impulse toward decentralization, to move itself from New York to the swamp between Virginia and Maryland, New Yorkers were stung. Deciding that if they couldn't be the nation's political capital, they were going to become the undisputed economic and cultural capital, they redoubled their mental efforts.

Commerce and intellect were going to be the twin pillars of New York's greatness, this at a time when it was still generally held that commerce had a civilizing effect on its practitioners. In his influential book *After the Revolution*, Joseph Ellis wrote, "There was no presumed tension between artistic values on the one hand and public opinion or the values of the marketplace on the other." Magazines sprung up around various meeting clubs. Lecture halls, museums, and libraries were constructed. Even the working classes began to get into the act.

By the 1820s, pursuing intellectual interests did not mean, for the working man, that he had to leave his class. The General Society of Mechanics and Tradesmen offered lectures that satisfied the thirst for objective facts, both to help its members at their trade and to make them better citizens. The idea was not that tradesmen could escape their class by learning Latin and Greek, but that the quality of the entire class could be raised through public education. "We aspire not to the embellishments of refinement," the *Mechanics' Gazette* editorialized. "Our lot of labor will ever stifle a hope so vain. The extent of our desires will be satisfied with that simple mental food, which imparts contents to the mind and health to the morals."

So at the top of the commercial ladder there were frequent and productive meetings between commercial and intellectual elites, and at the middle rungs there was a concerted effort at self-education. At both levels, commerce intertwined with intellectual life. Even as late as the 1860s, intellectuals felt common bonds with the business community.

So what happened? Part of the fault, Bender says, lay with the businessmen. Many of the clubs, the New York Historical Society in particular, became gaseous. The quality of lectures declined, and socializing tyrannized over intellectual content.

But broader changes seem more de-

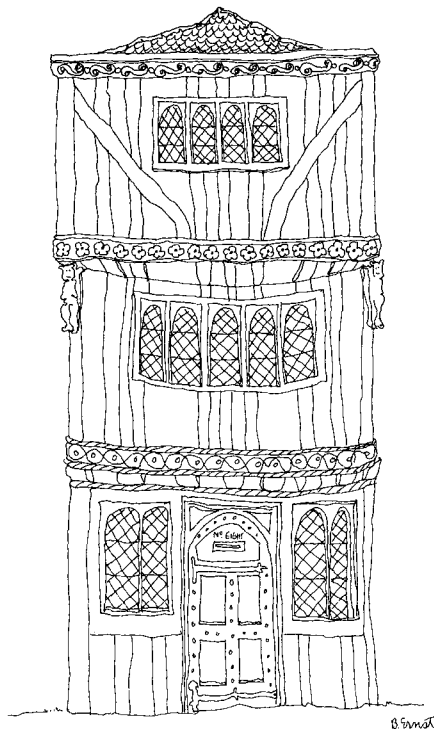
cisive. Books became cheaper and large-circulation magazines more plentiful, which meant that intellectuals no longer had to hang out with anybody but each other. Artists turned into aesthetes and began to imagine that their creative "genius" must not be sullied by worldly concerns. The cult of creativity taught the artist that his art was above everything else; business was a supplemental activity less gifted souls engaged in. Businessmen, meanwhile, agreed that intellectual and artistic life was above commercial life, but they insisted that it did not come first.

Most importantly, as a part of this process, intellectual life became professionalized. Scientific clubs, for example, began to discard members who were not full-time scientists. "The gentlemen who are directors of the academy," wrote a member of the Academy of the Fine Arts, "are profound physicians, able lawyers, men of science, and talents, but are very poor judges of the value or merit of pictures, and consequently, are not well calculated to advance the character of the Arts in this City."

The results are now obvious. Businessmen have become mostly alienated from intellectual life, and most intellectuals are separated into tiny, irrelevant, jargon-swapping cliques in cloistered universities.

Bender goes on to discuss the tension between the new intellectual setup and the idea that intellectual life should be democratic. His story is engaging, particularly the earlier part (it does grow dull as he replows the familiar field of twentieth-century New York intellectual life). He does a fine job of introducing the reader to some underappreciated characters: E. L. Godkin and George William Curtis, nineteenth-century opinion-makers; Albert Gallatin, the banker who tried to bring intellect to the masses; even the post-telegraph Samuel F. B. Morse.

Readers of NATIONAL REVIEW might want to peruse this book through a transposing lens. Bender worships at the feet of Randolph Bourne and Edmund Wilson. For him, socialist radicals are at the zenith of intellectual life, and he criticizes many whom conservatives would find sympathetic. Still, he lets you know who the important players were, and, even in his biased manner, he gives the reader some indication of what his villains stood for. □



# THE MARRIAGE HEARSE

Jeffrey Meyers

*More Die of Heartbreak*, by Saul Bellow  
(Morrow, 335 pp., \$17.95)

**S**AUL BELLOW has a quality of mind and a richness of ideas that are more characteristic of European than of American fiction. His ambitious, moving, and brilliantly achieved tenth novel concerns vainglory, fanaticism, power; penitence, justice, truth; the sacrifice of egoism for salvation; the meaning of love. He offers a savage yet witty critique of contemporary American corruption, based on a lifetime of suffering and reflection. His global setting ranges from the Arctic to the Antarctic, from Japan to Somalia; and he also includes a devastating condemnation of the Third World: "squalid, misgoverned by the kleptocrat military, scenes of famine, filth, AIDS, mass murder."

The novel is narrated by Ken Trachtenberg, a Paris-born and -educated 35-year-old professor of Russian in Chicago: "communication powers mediocre-to-low; hearing impaired; not stupid but hampered by singular preoccupations." Ken's tone of voice, familiar to readers of Bellow's *Herzog*, is intimate, learned, erratic, and allusive. The main character, Ken's uncle Benn Crader, is a world-famous botanist. After experiencing numerous sexual miseries during his 15 years as a widower, Benn marries a wealthy and beautiful young woman, Matilda Layamon.

Between marriages, Benn had been swindled by his uncle, Harold Vilitzer, a crooked political boss. Vilitzer, who had secret information about a building site, purchased, through a phony company he owned, a slum property Benn had inherited. After a gigantic skyscraper had been built on the land, Vilitzer bribed the judge, fixed the court case, and swindled Benn out of \$15 million.

Matilda's father, Dr. Layamon, plans to use Benn to recover a few million from Vilitzer, so that his daughter can live luxuriously and entertain lavishly. Both Vilitzer and Judge Chetnik (who married Benn and Matilda) are about to be indicted for corruption. Layamon

thinks Vilitzer will pay up if Chetnik, to save his own skin, threatens to testify against him. Benn, though clearly wronged by Vilitzer, does not want the millions and is reluctant, because of family loyalty, to proceed against his aged uncle. But he has to pay for his connection with the Layamons and allows himself, against his better judgment, to be manipulated by them. The finely integrated subplot describes Ken's attempt to recover his child from his former mistress, Treckie (who is developing "new insights into her former insights"), and his courtship of his warm-hearted student Dita.

Benn represents knowledge divorced from life. He is a genius in the vegetable kingdom, but he lacks insight about human emotions and is driven by the demons of sexuality, which nullify all rational behavior. He attempts to settle the "jurisdictional dispute" between Eros and Thanatos, to ward off death with love by marrying Matilda, but suffers from depleted vitality. He has been disastrously involved with Caroline, whose hope chest was filled with cocaine, and with Della, who pounded on his door and screamed: "What am I supposed to do with my sexuality?"

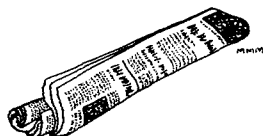
Yeats believed the intellectual man was forced to choose either "perfection of the life, or of the work." In middle age Benn tries to choose both, and fails. His vital connection with the natural world is severed; and he mistakes a silken azalea, from which he has drawn nourishment during his spiritual crisis, for a real one. In this "post-human" age, he loses his "privilege of vision" as he had previously lost his idealistic innocence and his childhood memories (now buried under the skyscraper). He thinks sex might be a diabolical way to recover paradise—"Even Adam, who had God Himself to talk to, asked for a human companion"—but while searching for his Garden of Eden, he finds his dilemma depicted in a Charles Adams cartoon of a "completely unhappy" couple inhabiting a graveyard.

The novel is subtly structured by a series of vivid contrasts and parallel themes. Benn's decency is opposed to the Layamons' corruption, his apartment to their palace, Ken's attempt to recover his daughter to the Layamons' attempt to recover Benn's money, Ken's

failure to his father's success with women, Ken's study of St. Petersburg culture in 1913 (Chekhov, Mandelstam, Bely) to Matilda's thesis on the culture of the French collaborators (Céline, Brasillach, Drieu La Rochelle).

The parallel themes include sexual exhibitions in a Kyoto nightclub and a Chicago courthouse, Ken's attachment to his Uncle Benn and Benn's to his Uncle Harold, the fatal attraction of Benn to Matilda and Ken to Treckie (both are "knee-deep in the garbage of personal life"), the attempts of Tanya (Treckie's mother) to take over Ken and Matilda to take over Benn, Dr. Layamon's and Tanya's use of private detectives, Benn's misreading of the delusive beauty of the azalea plant and of Matilda, Benn's "wing-case" back and Matilda's wide, menacing shoulders, Benn's disenchantment with the natural beauty of Matilda and Ken's enchantment with the face that Dita has tried to renovate for him, Benn's flight from Caroline to Japan, from Della to Brazil, and from Matilda to the North Pole—where he hopes to thaw out his heart.

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Bellow's bitter disillusionment with sex and marriage: with ordeal by desire and "the act by which love would be transmitted if there *were* any." "You could well believe," he observes, "that a divine master plan for the evolution of love had miscarried." But the deepest values of this humanistic novel are tenderness, compassion, and forgiveness: Benn's fidelity to his first wife, Ken's attachment to his distant daughter, and the troubled filial bond between uncle and nephew. Each man is a flawed intellectual: "a genuinely superior individual, susceptible of course to human weakness and unable to manage his sexual needs, or to be more accurate, his love longings." □

## FOR HE IS AN INDGLISHMAN

**Aram Bakshian Jr.**

*Talkative Man: A Novel of Malgudi*, by R. K. Narayan (Viking, 123 pp., \$15.95)

**M**OST OF OUR big discoveries are made by accident. Thus, a few weeks ago, in a casual literary conversation with friends, I suddenly realized that five out of a dozen of my favorite contemporary English-language writers have roots of one sort or another in the Indian subcontinent. I had become an unwitting "Indglophile."

No one was more surprised than I was myself. Surprised, and a little aghast. On the face of it, it was as if a gourmet of some pretensions had awakened one morning to the realization that, the night before, he had washed down a four-star dinner with a succession of obscure Balkan whites or Algerian reds. But, then, Ved Meh-ta (born and raised in India, now living in America), V. S. Naipaul and his younger brother, the late Shiva Naipaul (ethnic Hindu Indians born in Trinidad), Salman Rushdie (a Pakistani expatriate who spends most of his time in England), and, above all, the venerable R. K. Narayan (who, in his eighties, still lives in southern India, surrounded by the people and places he writes of in his novels), are hardly obscure vintages. And their vineyard has been around for centuries.

There are actually parts of southern India where, thanks to trading and colonial ties that go back to the Eliz-

abethan age, English has been a language of the literate classes for longer than it has been spoken in North America. Even in regions that were ruled by the British only in the last hundred years of the Raj, notably the Punjab, the vigor—and rigor—of Victorian reformers and missionary-school instruction have left their mark.

This "Indglish" fusion is unique in the former colonial world. There is no serious German, Italian, or even French equivalent, although each of these nation-states once ruled vast tracts of the Third World. It is true that the French can point to a handful of minor poets from their former African colonies, but their Frenchness is strictly imitative, the product of a briefer, more one-sided experience. Few if any ex-colonial Francophone authors have achieved world status; most, unless they are politicians who control their press and universities, are not widely read even in their home countries.

The Spanish and Portuguese impact on Latin America comes closest to that of the British on India; but there is an important difference. Contemporary Latin American authors such as Carlos Fuentes, Gabriel García Márquez, Carlos Rangel, and Brazil's incomparable Jorge Amado, for all their occasional pre-Columbian posturing, are by blood, education, and religion essentially privileged European bourgeois living and writing in a New World setting. No matter how radical their politics—and here Rangel is an honorable exception—they are socially, aesthetically, and intellectually much closer to the European world of their former rulers and ancestors than to the mass of poor, ill-educated rural and urban *Indios*, mestizos, and mulattoes subsisting around them.

Only in India—with a native population whose indigenous religions and cultures were never crushed by a colonial church militant, and whose millenia-old literary tradition far pre-dated the advent of the first European—has a foreign language achieved such a profound and positive cultural symbiosis, probably the greatest linguistic feat since the infusion of Latin into most of non-Italian Europe in classical antiquity.

That a wide Indian public reads and appreciates Mr. Narayan's novels—and

that they are written in English while the settings are purely Indian—is only part of the accomplishment. Equally impressive is the way in which his writing has given an international English-speaking audience an appreciation of Indian life; no less an English master than Graham Greene has said that it was through reading, and enjoying, Mr. Narayan's novels that he began to understand India.

Mr. Narayan's greatest achievement, however, is the timeless truths and types he portrays, the galaxy of talkers, schemers, strivers, frauds, cowards, heroes, villains, and victims with whom he has peopled the fictitious, but very real, southern-Indian town of Malgudi in 13 novels and countless short stories. Like the provincial Italy of Don Camillo, or Tevye's little village beyond the Czarist Pale, Malgudi stands as an eccentric, ethnocentric, and yet universally plausible human creation.

V. S. Naipaul, whose feelings for his ancestral land are at best ambivalent, has referred to the world of Malgudi as one of "small men, small schemes, big talk, and limited means." At first glimpse, this may seem dismissive, but, on reflection, it is a fairly pithy description of both real life and some of

the best art, the sort that eschews lofty trappings and takes us straight into the amazingly complex souls of supposedly simple people—in Mr. Narayan's case, the sign-painters, moneylenders, fortune-tellers, schoolteachers, peasants, printers, and policemen of a small provincial town, which contains within

itself all the elements of the human condition.

Mr. Narayan's latest novel, *Talkative Man*, is not his best. Like Anthony Powell's recent *Fisher King*, it is a small, quicksilver work of the artist's later years. Yet it contains much of the charm and insight that characterizes all of his work, written with just the right balance of affection and detachment, a balance that can only come with wise, unembittered old age. As the octogenarian author confesses in his postscript, "I prefer the shorter form, because it gives me scope for elaboration of details, but within certain limits; I can take up a variety of subjects and get through each in a reasonable time . . . When I am at work on a [lengthy] novel, I imagine



that I am keeping a crowd of characters waiting outside my door, who are in search of their author . . . Also, I have the habit of pruning and trimming . . ."

Though he himself has said it, still it's greatly to his credit, for he is an Indglishman. For several generations now, R. K. Narayan has been pruning and trimming the garden of Malgudi; its blossoms are still fragrant, its fruit still sweet. One hopes his door will remain open to that seemingly endless crowd of fascinating characters for many years to come. □

## AN AMERICAN ORIGINAL

Thomas P. McDonnell

*Emily Dickinson, by Cynthia Griffin Wolff (Knopf, 641 pp., \$25)*

IN LITTLE MORE than an ample lifetime, there have developed two main critical attitudes toward Emily Dickinson: first, a more or less benign recognition of her poetic achievement; and, second, the quasi-political use of her life as a paradigm for suppressed womanhood in both the nineteenth century and our own. The exponents of these views have tended to divide along lines of gender. Male critics in the first half of this century, represented chiefly by Allen Tate in a landmark essay in 1928, were the earliest discerners of her genius. The restoration of the Dickinson texts in 1955 by Thomas H. Johnson remains the standard version by which her work is evaluated. The exploratory biography *This Was a Poet* (1938), by George F. Whicher, was nobly surpassed by the still-definitive two-volume work *The Life of Emily Dickinson* (1974), by Richard B. Sewall.

Cynthia Griffin Wolff's new biography of the poet is not about to dislodge Sewall's achievement. In fact, though both inhabit the biographical category, they are clearly different kinds of books. Cynthia Wolff's *Emily Dickinson*, so hefty in the hand and handsome in format, leaves us less concerned with biography than with the attempt to determine the place of its subject in our literary history. No new information about the life seems forthcoming, whereas the cultural and psy-

chological explorations continue to be the most exciting of any current studies in American literature. Feminist criticism has justifiably appropriated Emily Dickinson to both its own interests and the larger literary interest.

Emily Dickinson lived and died in Amherst, Massachusetts, without having gone much further west than her own village precincts, further east than Boston, or further south than Philadelphia, where she met the Reverend Charles Wadsworth, untowardly claimed by some to have been the most important of her several unrequited loves. She traveled less in Amherst than Henry Thoreau had boasted of traveling in Concord. She drew a circle around herself not so much in emulation of Emerson as to accommodate her own notion of *circumference*. Domestically, she was a subject in the kingdom of her father's house, and in her last years scarcely moved outside her own bedroom. And yet, though often characterized as a nineteenth-century spinster, with all that implies, Emily Dickinson was one of the most passionate women in America.

The intensity of her personal relationships, however tenuous they may now seem in time and manners so far removed, is clearly revealed in her first meeting with Thomas Wentworth Higginson, a panjandrum of the literary establishment in those days, to whom she had sent a packet of her poems. "Mr. Higginson," she wrote in one of her incomparable letters, "are you too deeply occupied to say if my verse is alive?" It would not have made any difference whether Higginson was too busy or not, for he was simply incapable of recognizing her almost revolutionary worth. He had no idea of what she was doing with a new and compact sort of verse that took for its model, but frequently abused, the prosody of the Protestant hymnal. Actually, his failure of recognition may have been due as much to a sexual inhibition as a literary one. Writing about his encounter with Emily, he later said, "I never was with anyone who drained my nerve power so much. Without touching her, she drew from me. I am glad not to live near her." Colonel Higginson, it

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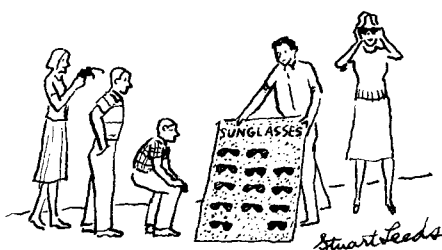
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turned out, would face a regiment of Confederate infantry with more poise than he had shown in his confrontation with the poet-spinster of Amherst.

Cynthia Wolff's biographical study attempts to deal more with this inner, more private and dynamic Emily Dickinson than with the one generally known to her family and neighbors. The attempt doesn't work, however, because it assumes a greater burden than it can bear. Mrs. Wolff's insistent theme is that Emily Dickinson bitterly contested the prerogatives of an angry God all too readily accepted by both the townspeople of Amherst and the members of her own family. Cultural historians usually describe Amherst as a Trinitarian town—that is, as distinguished from a Unitarian one like Concord—but the dominant theology, in either case, was a pervasive and pessimistic Calvinism. So it seems just as likely that the individualistic Emily simply rejected this order of unrelenting rigidity as unbearably solemn and lacking in native wit.

Less than halfway through *Emily Dickinson*, it becomes clear that Mrs. Wolff is out to construct a biography of the poems rather than of the poet. However, although several of Mrs. Wolff's readings are remarkable, her evaluations of many key poems are not at all well founded. As a biographically oriented critic, she seems incapable of calling a bad poem a bad poem; for, clearly, among the 1,775 poems that Emily Dickinson wrote, there are many that have little redeeming value. It is important to recognize that the most fully realized of Emily Dickinson's poems have a life—an all but palpable élan—apart from the biography as such. One should also read, on this score, Paula Bennett's outstanding essay on the poet included in her *My Life a Loaded Gun* (1986), with its interpretations of difficult poems that become stunningly clear in the light of her readings.

Finally, Mrs. Wolff does not let us know that the most perplexing vacuum in Emily Dickinson's life was not her want of love—or her aversion to it?—but rather the historical amnesia she displayed regarding the Civil War. It is supremely ironic that the poet along with whom Emily Dickinson encompassed the whole of American poetic form, Walt Whitman, would alone provide us with an exquisitely feminine consciousness of our greatest



tragedy. Some of Emily Dickinson's letters and a few of her poems do show a certain stinging awareness of the conflict, but there is nothing even close to a real sense of our nation's anguish and the causes of it.

Leaving aside this grim omission, however, an unencumbered reading of Emily Dickinson's poetry must take into full account its irrepressible play of mind and words. Her great subjects were also her obsessions: love, and its rejection; nature, and its sacramental presence; death, and its almost desired inevitability; and, of course, immortality. She perceived the natural world in far lovelier and more vivid images than had Thoreau, and she circumscribed the darknesses that enclosed the guilt-ridden fictions of Hawthorne and Melville. Emily Dickinson was unique, an American original, and arguably our purest poet. Unfortunately, for all its appearance of substantiality, Cynthia Griffin Wolff's biography fails to advance the best of Dickinson studies today. □

## THE DEVIL'S DUE

M. D. Aeschliman

*Mephistopheles: The Devil in the Modern World*, by Jeffrey Burton Russell (Cornell, 330 pp., \$24.95)

THE DEVIL is the best-known symbol of radical evil," writes the historian Jeffrey Russell, and "The existence of radical evil is clear to anyone not blinded by current relativism." From these clear and true words, this book moves with sustained seriousness and brilliance across five centuries, from Luther's time to our own. This is the fourth and final volume of Russell's series on the history of conceptions of the devil, and, although it has all the virtues of great intellectual history, it is explicitly rooted in a profound moral analysis of our own era.

Russell is guilty of neither "wanton

skepticism" nor "weak credulity," and his mastery of source materials—almost all of them in the original languages—is enormously impressive in its range and balance. The heightened sense of diabolism in Luther; the more introspective, psychological sense of evil in Shakespeare's villains; the ambiguity of the Faust figure and its eventual apotheosis in "The Romantic Devil"; the attenuation of the sense of radical evil among the intelligentsia in the eighteenth and nineteenth centuries ("Satan Expiring") and its unexpected, apocalyptic re-emergence in the twentieth—these are some of the landmarks along Russell's journey. The Reformation's melodramatic over-emphasis on the personality of the devil and the mutually damning name-calling and anathemas between Catholics and Protestants gave way, over the generations, to the over-optimistic, liberal, Enlightenment assessment of human nature as benign, with ignorance and "superstition" the only real evils. Thus Marlowe, whose *Dr. Faustus* is a key document for Russell, has a character in one of his other plays say, "I count religion but a childish toy, and hold there is no sin but ignorance."

Written in the late 1500s, this assertion is a foreshadowing of the mentality that would more and more dominate the Western intelligentsia in the succeeding two centuries—indeed, right up to our own day. True, a satirist such as Peacock, writing in 1816, could mock the inadequacy of the equation of "sin" with mere ignorance: "I conceive," says his ridiculous Mr. Foster, "that men are virtuous in proportion as they are enlightened; and that, as every generation increases in knowledge, it also increases in virtue." But it took the monstrously evil acts of our own century to shock most (though still not enough) bourgeois Western people out of their drunken fantasies about human nature.

But as the French Enlightenment did most to dismantle the traditional concept of diabolism, it also produced offspring who ended up attesting most conclusively to its existence. Russell's discussions of those very different but related figures, the Marquis de Sade and Charles Baudelaire, are among the most brilliant pages of a brilliant book. Sade's egotistical materialism, so far from being a freak eccentricity, was the logical outcome of the mechanistic materialism of the Enlightenment itself,

and prophetic of the horrors to come. "Whatever one thinks of Sade's practices," Russell writes, "one must give him credit for taking the principles of atheistic relativism to their logical conclusions."

Sade was the prophet of the existential immoralism that besets us today: "Whatever you feel like doing is good for you. If you enjoy torture, well and good. . . . Violations of so-called moral laws are both permissible and actually laudable, because they demonstrate the artificiality of such restraints and because the restraints impede the only demonstrable good: personal pleasure." In a passage from one of Sade's novels that Russell does not quote, a character says, "I have destroyed everything in my heart that might have interfered with my pleasures." That liberated *grande dame* Simone de Beauvoir quoted this passage with approval as an example of the "triumph" over the "bourgeois hoax" of conscience. This is the avant-garde moral radicalism that Raymond Aron called "aesthetic nihilism," which we see in *Clockwork Orange*, "Les Val-seuses," and much of rock "music."

Russell treats rock groups and their songs with characteristic economy and balance: "Constant semi-serious propaganda for evil has had decomposing effects on weak and silly minds. One result has been a rash of appallingly degenerate crimes, including the violation of children. . . . Only a society determined to deny the existence of radical evil at any cost could continue to tolerate such phenomena." But this denial was (and is) the core of the Enlightenment mindset. "Sade's fellow *philosophes*," Russell writes, "viewed him with particular disgust and horror because they recognized in him the logical implication of their own beliefs."

The other wayward Frenchman who did much to illuminate the dynamics of diabolism was that far more ambiguous figure, Baudelaire. Baudelaire's insistence on man's moral duality and his half-crazed, half-saintly intuitions into the realities of sin are among the deepest ever penned: "My dear brothers," he wrote, "never forget, when you hear the progress of the Enlightenment praised, that the Devil's cleverest ploy is to persuade you that he doesn't exist." Like Nietzsche, Baudelaire was evangelist, opponent, and victim of his own moral and imaginative diabolism.

But the great sane prophetic figure

of the nineteenth century was Dostoyevsky, "who understood evil better than anyone in his century and whose dark vision became a model for the modern age." Like Sade, Dostoyevsky saw that "if there is no God, everything is permitted." The self becomes God and is "beyond good and evil." But unlike Sade and Nietzsche, Dostoyevsky did not hate or disbelieve in God.

Some of Russell's facts and phrasing stick tenaciously in the mind. Commenting on Leszek Kolakowski's assertion that "we experience evil directly and intuitively," he adduces the work of contemporary psychologists indicating "that children possess such direct intuition by the age of three and retain it unless society drives it out." Against skeptics who insist that belief in the devil "impairs moral responsibility," he deftly counters that such belief does not "seem historically to have impaired moral responsibility as much as the modern belief that behavior is determined by environment. Skepticism about the Devil often leads to skepticism about radical evil, producing a false optimism and a reliance

upon palliatives. . . . and Christianity has always insisted that the Devil has no power to coerce or compel the human will."

Czeslaw Milosz, a twentieth-century Dostoyevskyan, has said that the demonic is at the very core of modern history and of contemporary life. Jeffrey Burton Russell's magnificent book is not only an anatomy of that diabolism, but an antidote to it. □

## THE GIMLET EYE

### YEVTUSHENKO

D. Keith Mano

**H**E IS PROBABLY the last international poet. Yevtushenko\*, at 53, seems well past sixty now—hair thinning, face wrinkled from a life of tactfulness and old compromise. How much, I think,

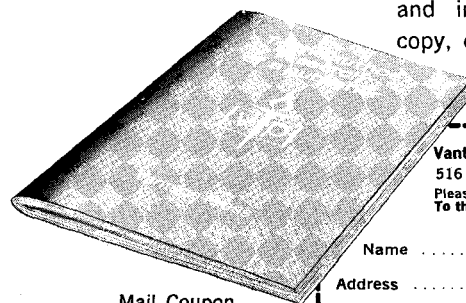
\*Quotations in this column are taken from my tape transcript. Naturally they do not reflect the page format used by Yevtushenko.

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must he have seen. And, shrewdly, not seen. His frame is long and stiff and, in both senses, articulate: like a bent extension ladder thrown up against the barn wall. Later on, he will bitch about his "osteo-arrrrrthritis, god-dam it." Yevtushenko has always been more voice than poet. It is a peasant instrument, some r-rolling hurdy-gurdy thing: sonorous and insinuating, sweet, lewd, and absurd. The hands flail

around it. He can caper and strut. He is an outrageous ham, a veteran Ingmar Bergman character. This man who, from youth, has played to full stadia, will perform for three hundred or so here at the New York Open Center. Still, that must be more than any American poet could draw—except maybe Donna Rice or Fawn Hall, if either were to write a couplet, oh, tomorrow.

I don't wonder they drink so much in Russia. Their language is intoxicated anyway. It all sounds like some drunken old man speaking to a little child at night. Ponderous, sensual, mellow: and bewitching, yes. With translation it must lose all but the most rudimentary sense. I prefer to hear Yevtushenko recite and comprehend nothing at all, rather than to hear his translator friend, Albert Todd, para-

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## THE RIGHT BOOKS / CHILTON WILLIAMSON JR.

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**T**ONY SMITH's *Thinking like a Communist: State and Legitimacy in the Soviet Union, China, and Cuba* (Norton, \$16.95) is a brilliantly original study of the "laws of motion" of Communist thought, how they have shaped history during the past hundred years, and what they portend for the future. Professor Smith's chief concerns are to explain the inexorable combination of Marxist-Leninist ideology and the single-party dictatorial state, which has characterized every Communist regime since 1917, and to assess the likelihood of their dissociation—someplace, sometime—in the future. Despite the wide disparity of cultures upon which Communist states have superimposed themselves, and despite the transformations in Communist thinking that are now going on, Communist politics everywhere are ultimately circumscribed by their "laws of motion"; so that it is only by an understanding of these "laws" that speculation upon the future of international, polycentric Communism can even be hazarded.

"Marxism-Leninism," Lenin declared, "is all-powerful because it is true." That "truth," however, derives less from empirically verifiable ideas than from its formal structure of belief. Nevertheless:

In an effort to provide a unified understanding of history in all its various dimensions, Marxism overreaches itself. . . . As its categories of analysis attain a momentum that propels them far beyond the questions they can handle best, blind spots and misperceptions begin to multiply, with extremely serious consequences. . . . Outside the domain of economics and social theory . . . the application of Marx's approach becomes increasingly problematic. . . . In field after field, the damage wrought is evident: in aesthetics, in ethics, in group psychology (ques-

tions of nationalism, racism, or sexism, for example), and in the main area that concerns us in this book—politics and, more particularly, the character of the state.

Since the Marxist is compelled to take for granted the Master's dictum that History is the product solely of economic forces, for him *the political state has no scientific reality and no historical efficacy whatever*. Or, to put it differently, if the Marxist state is merely the collective will of the people, it is no more than an emanation of that will and that people, and is therefore indistinguishable from it. This explains why it never occurred to Lenin, whose chief fear was the reactionary propensities of the peasants and the petty bourgeois, that the revolution was in greatest danger of being devoured by itself; why the enormous threat to the post-revolutionary democracy envisioned by Marx—a threat inherent in the Leninist party of the vanguard—went unnoticed not only by Lenin but by Trotsky himself. "If Marxism has great difficulty coming to terms with a state acting independently of social forces, it is utterly at a loss to conceptualize a state actually capable of acting against society on the basis of no more than its own internal organization. In a word, Marxism denies that totalitarianism is a historical possibility." And so: "It was to be the ironic fate of Marxism itself to demonstrate most dramatically the potency of ideas, leaders, and political organization on human destiny." The rise of Stalinism, though not inevitable, was at least a logical, and awfully probable, likelihood.

The chief distinction of Maoism was to redefine the relationship between the political roles of the people and the Party; but, according to Smith,

Mao "neither departed far enough from established thinking nor so reworked its constituent elements that we may speak of a new kind of Communist thought." In the breach, the Chairman proved incapable of forswearing his Party apparatus: Rather than truly democratize it, he chose to "purify" it, by admitting, not representatives of "the people," but more "sincere" ideologues. Similarly, there is Fidel Castro, who for about a decade ruled Cuba by force of personality rather than by the instrument of Party; until, after a series of domestic disasters not unlike Mao's Great Leap Forward, he concluded that the revolution had to be institutionalized following the Soviet model. "As an alternative to Leninism," Smith concludes, "Castroism is dead . . . , its life taken by its own founder . . ."

And yet, Smith believes, Castroism is significant: "What Cuba, unlike China, projects to the rest of the Third World is the ability of a group without a strong Party structure to take power in these areas and then to maintain control of the state by converting nationalist sentiment there into Communism by campaigning against the dangers of imperialism." Perhaps because, in the seventy years since Lenin's revolution, capitalism has evolved further toward its "highest [imperialistic] stage," the future of Communism lies in various brands of national socialism. Perhaps some Communist societies will be less totalitarian than others. But Smith offers little hope of Communism's proceeding beyond the limits of the justifying ideology that provides a "smokescreen" behind which what the *Statutes of the Communist Party of Cuba* describe as the "immortal party" may pursue its historic self-interested despotism. □

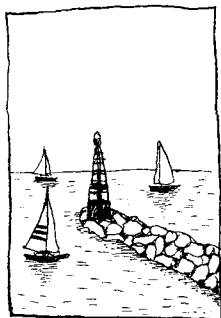
phrase in English and sound dull as Liquid Leather. It is, of course, performance material before it is poetry. All, just about, in the first person. And not read: these are dramatic monologues acted out from memory. For instance, his poem "The City of Yes and the City of No" was written, I'm positive, because even your least-Russian audience would notice *da* and *nyet* and respond with a laughter of recognition. It is like Italian opera: better enjoyed when you don't know a libretto well. Lines such as "I understand that man is unhappy because he is searching for that happiness sublime" have got to mean more in the original Siberian.

International humanist schmaltz, one might call it. Somewhere in his *œuvre* Yevtushenko has expressed comradeship with, moral support for, every mother's son of us and my cat. The poet as universal empathizer and second-string Christ—a late-Romantic notion, pretty ramshackle now. "I would like to be under the knives of all the surgeons in the world. . . . I would like to suffer all kinds of diseases, wounds, and scars." Sure he would. This is vacant, riskless hyperbole: a cheap Whitman sampler. He can relish anything except, well, Coca-Cola and Rambo. To ingratiate himself with Western liberals, Yevtushenko has adopted the common Soviet propaganda mannerism. Compassion. Disdain for particularity. Humanness transcends nationalness. Gorbachev may be more bloody-headed and cynical about it, but the approach is similar. *Da*, I lose people in Gulag and I have a nuclear drop on you—but these are *ethnic* differences, underneath we remain just men.

Never has an artist been so dogged by good fortune. Yevtushenko wrote his first notable anti-Stalinist verse just around the Khrushchev denunciation. Zhenya, as they call him, got so famous so fast that he was virtually untouchable through political thaw and freeze thereafter. He could travel, he could publish: in a state where repression is the one human right, Yevtushenko was disfranchised. And that very freedom has been what we Russian Orthodox term a *podvig*—a spiritual burden. There are Russian poets who, out of jealousy or some more

substantial gripe, consider him opportunistic and shallow. He is certainly neither government flack nor heroic dissident. Over and over again in the poems he will refer to himself as a ghost. Hovering, presumably, between art and accommodation. Yevtushenko has tended to portray himself, maybe it is an affectation, as an unhappy man. The four marriages (and one child with cruel brain impairment) are his Gulag. "I was intuitively lucky. Thank God happiness didn't happen." The poet, after all, is supposed to suffer. Persecution and misery have perquisites.

It is not my place to advise someone else on the etiquette of resistance in a totalitarian society. Motor-vehicle bureaus can break me. Since Diocletian first persecuted Christians this question—confrontation or pragmatic compromise—has been an awkward and bitter



M. IAN

one. There is no correct answer. Russians, in general, avoid unnecessary heroism. They are patient, fatalistic, tenacious—like dwarf birches in the eponymous Yevtushenko poem. "Of course you command more freedom. But for all that, our roots are more strong . . . we have cleverly made up our poses . . . we sit firmly like splinters under the nail of the frosts." Cowardice and resolution can mirror each other. Certainly Yevtushenko has had great moments: "Babi Yar" (his poem against Soviet anti-Semitism) was one, and that recent speech protesting state censorship and elitist privilege. So what if thirty years or so elapsed between those two? Martyrdom can be attractive and useful. But too much martyrdom will seriously deplete the gene pool of rebellion.

Yevtushenko, I suspect, knows his artistic standing and significance. "Disbelief in yourself is more saintly. It takes real talent not to dread being terrified by your own agonizing lack of talent." His real talent, his peculiar genius, was quite different. Yevtushenko, unlike any other Russian poet, could be *read*. That, Shostakovich has suggested in *Testimony*, was his most important contribution to Soviet culture. "Yevtushenko did a great deal for the people. . . . You could buy a book or a newspaper with Yevtushenko's poetry . . . you could do

this peacefully, legally, without looking around, without fear." He is, in other words, an accomplished survivor. And he must realize that. At one point in his recital I was nearly bushwhacked by tears. When he said, "I'm just the ragtag voice of all the voices. . . . I'm the half-scattered ashes on somebody's unknown novel." How much broken hope has been left desolate in that madcap, brilliant, destructive nation? A nation that sends us Yevtushenko at his best, at his worst, to stand for all the rest. □

## BOOKS IN BRIEF

*The Life and Legend of Jay Gould*, by Maury Klein (Johns Hopkins, 595 pp., \$27.50)

PROFESSOR KLEIN here rehabilitates Jay Gould (1836-1892), archvillain among the robber barons and "one of the most important and influential Americans of his age." Unlike the paper pirates who play Wall Street heavies today, Gould—according to his critics, the most "despicable" and "unscrupulous" of the post-Civil War industrialists—actually *did* something with his securities price manipulation, developing a transcontinental railroad system and communications network. The author quotes from the conventional wisdom about Gould, largely unchanged and unchallenged for the past century, and proceeds to rebut and demolish it with painstaking documentation. He also takes apart the entire "robber baron" concept, put forth by Matthew Josephson in 1934 and still accepted by the feeble-minded. "No study of the past is more urgently in need of revision than *The Robber Barons*, not only because its interpretation is simplistic but because its handling of the facts is careless to the point of being shoddy," Klein writes. It also "gets in the way of understanding what was going on," a rather fabulous feat when one considers that Gould left behind a fortune estimated at \$72 million. Klein does understand what was going on, and he fashions a detailed, factual narrative of Gould's life and business dealings, concluding that "his business ethics were probably no worse and in some respects better than those of most men" operating  
(Continues on page 58)

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## JOYRIDE

NEW YORK, JUNE 8

IT WAS five years ago that a youngish Brit decided he ought to have a chat with the Queen of England, and how do you get from central England to the Queen? It turned out to be quite simple. You go to Buckingham Palace (everyone knows where that is), do a little swivel-hipping to make your way past those red-jacketed gorillas around the gates, walk in, dodge internal security and staff, find the Queen's bedroom door, enter, sit down at the corner of her bed, and just chat for a while, maybe give her a hint or two about what's right and what's wrong with royal ritual.

Well, at least Buckingham Palace wasn't celebrating Buckingham Palace Security Day on that Friday. When Mathias Rust decided he would pay his visit to the royal enclosure of the People's Palace in Moscow, he elected to arrive on the very day the Soviets were celebrating Border Guards Day, and that decision alone showed the high form of the 19-year-old West German bank clerk. We haven't really seen a good picture of him yet, but whether he looks like Lucky Lindy or not, he simply has to come from the same stock.

We learn that Mathias is a quiet boy, that he lived at home sharing a room with his 15-year-old brother, Ingo (with whom he never quarreled), because that way he could save a little money to feed his obsession with airplanes. And when he left Helsinki to fly home via Stockholm, he dutifully headed southwest for a few moments, and then suddenly veered southeast. Just about at the point in the Gulf of Finland where the radar trackers in Helsinki lost sight of him, an oil slick mysteriously appeared on the water. Rescue craft were ordered out pronto, but there were no traces of a wrecked Cessna. Maybe Ingo arranged to drop a barrel of oil with a few ice-picked holes in it to distract attention from his big brother's flight plan. Has anyone *seen* Ingo? Pretty odd we haven't seen a picture of the younger brother of the most famous aviator since Lindbergh.

And on Mathias went, four hundred miles. At one point, we learn, two MiGs approached him, maybe doing four hundred, five hundred miles per hour, while Mathias was plodding along at 120. What

went on? Probably they tried to get him on the radio, but Mathias doesn't know any Russian, as far as we know. If they had asked him, in German, questions about bank clerking, he could have given answers. Or about astronomy—Mathias is big on astronomy. His third passion is classical music, and perhaps as he flew over the tundra he was listening not to the radio but to a Walkman, perhaps to the Ride of the Valkyries, who knows? If the Russians attempted hand signals, the best guess is that Mathias raised his hand and waved, startling the Soviet aviators, who were never taught how to wave, and perhaps consulted their manuals for the meaning of the gesture—and couldn't find it.

What went through *their* heads? one wonders. They could have shot Mathias down, but just whom would they have been shooting down? If you find someone flying nonchalantly through the skies of the Leningrad-Moscow corridor in a little sports plane with West German markings, you figure, well, it must be a movie star, doing a picture, and if you shot him down, you might find that you had just ended the life of the Russian equivalent of Tom Cruise. No, that would not do at all. Then, too, it is always possible that the young pilot who jabbers over the radio in an unknown tongue is the son of a high muckety-muck in the *nomenklatura*, and you wouldn't want to return to your military air base and find out you had just shot down Gorbachev's son-in-law, now would you? So—what the hell, the pilots must have reasoned—Gorbachev's *glasnost* is taking to the skies.

And then the wonderful landing. Red Square! Mathias must have been awfully tempted when he saw that long line of people waiting to see the mortal remains of Lenin in the tomb—oh my, imagine a

landing calculated to put a few hundred Lenin worshippers into their own tombs, all in one landing!

But no. Instead, Mathias just plain landed on that cobbled area, hurting no one at all, in sharp contrast to the mobs that ran over each other in wild celebration of the coronation of Czar Nicholas and the Empress Alexandra in 1896 just there, in the same square. . . . Nor do we know what were his first words when the Soviet authorities materialized.

"Can you take me to the nearest phone?" might have been appropriate. □

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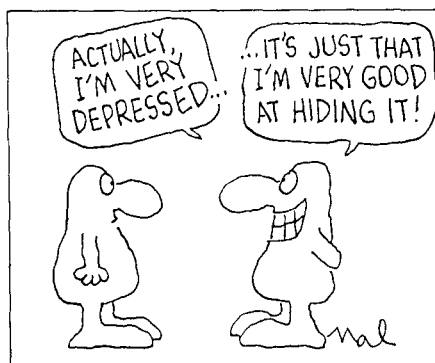
## WHAT DO WE KNOW? WHEN DID WE KNOW IT?

NEW YORK, JUNE 12

THE IRAN hearings are half done and dire conclusions are being reached, most notably by that Prince of Gloom, James Reston, who sees what has happened as the end of collaborative action between President Reagan and Congress. On this point he may be right, but, if so, the reasons for it have less to do with Irangate than with the Iowa caucuses. The mission of the investigating committee and its votaries is to discredit Ronald Reagan.

To be sure, he has made this a lot easier to do than necessary. Mr. Reagan's venture in subterranean Iran diplomacy was a flat-out mistake for which he has taken responsibility, and for which he has apologized. But the torture garden Congress set up to prolong the life of that error is impinging on fields that captivate the attention and add to the insecurity of Mr. Reston and, via his sensitive membranes, of the Republic.

He lists Five Undisputed Findings of the investigating committee to date. The first—"President Reagan did approve the shipment of arms to Iran after imploring the allies not to do so"—wasn't a congressional finding. That discovery was made last November. Reagan was wrong, whatever his motivations, and was made to pay for it. The second finding—"He did try to swap arms to Iran for hostages while denying that he was doing so"—again was known in mid November.



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The third finding may well become the gravamen of the case against Reagan. To quote Reston in full, "Documents on the transfer of arms from Iran to the Nicaraguan Contras, in violation of the Boland Amendment and the intent of Congress, were altered, shredded, and smuggled out of the White House files in an effort to cover up evidence and obstruct the investigation."

Now anyone who tells you that the shredded material was clearly something Congress had the right to review knoweth neither the law, nor fairly recent precedents. During the pre-McCarthy days, and reaching into the McCarthy days, the Truman and Eisenhower Administrations refused various investigating committees (including the McCarran committee and the McCarthy committee) access to certain documents on the grounds that they were integral to the executive operation and therefore shielded from legislative scrutiny. The Truman and Eisenhower people prevailed, and no court overruled them.

Now, most of these documents had to do with security investigations conducted on American personnel. We do not know what Colonel North shredded, but we do know that there were foreign legions of people involved: Israelis, Iranians, Bruneians, Saudis, Canadians, and Nicaraguans. Colonel North should not have shredded the papers. But what were his motives? Historians speak quite coolly on the question, Should Richard Nixon have erased the tapes that ultimately gave grounds for his possible impeachment? The question stands free of the law inasmuch as at the time he declined to destroy the tapes, they were not under subpoena. Neither were the papers North destroyed. North unquestionably thought back on the Nixon precedent and wondered whether the courts would guard the privacy of his worldwide contacts or not: and decided he would not take a chance. If James Reston were running a black operation involving the security of a dozen or more friends in the field, perhaps he too might have elected to throw his body in the way of the tank determined to expose and destroy his friends.

What was Reagan trying to do? Answer: To find the means to sustain the fight for freedom in Nicaragua against the whimsical on-again off-again bouts of congressional ambiguity. If FDR had been as easily intimidated as Reston wishes Reagan had been, God knows whether we would ever have seen the white cliffs of Dover again. There is no way the critics can crank up a case against Reagan that moves beyond procedural questions. And procedural questions have a hard time attaining substantive status in the current controversy.

Who is running foreign policy, anyway? Not an easy question to answer, whatever one's sympathies. The Constitution gives

only Congress the right to declare war. So what do you call it that we did in Korea? And in South Vietnam? Intramural football? But there was no declaration of war. Two hundred times U.S. Presidents have committed the military in foreign engagements, but only five times has Congress declared war.

If you wish tidy allocations of power, go get them. But it is unlikely that the corpse of Ronald Reagan will prove indispensable to the clarification of an issue we may well be best off not clarifying. □

## THE HIGH-SCHOOLER'S INFORMATIONAL IQ TEST

NEW YORK, JUNE 19

LAST WEEK'S issue of *People* mag featured the shocker from Donna Rice's girlfriend, or, rather, ex-girlfriend, confirming that the romance between Donna and Gary Hart had not been platonic. But that was not the most arresting item in the story, since few people were surprised by that news. What raised the reader's hair was the discovery that Donna, on being introduced to Gary Hart at Aspen, did not know that Hart was running for President. Not to know that Hart was running for President was on the order of not knowing that after summer comes autumn, or that Columbus sailed the ocean blue/In fourteen hundred ninety-two. Donna Rice is a Phi Beta Kappa graduate of the University of South Carolina.

We are accustomed to culture shock after a series of recent revelations that document the quite extraordinary ignorance of the younger generation. There are examples galore. The Texas college students who do not know the name of the foreign country south of the border, the students who cannot place the Civil War within fifty years of when it happened. When casting about to allocate blame, we begin by acknowledging that it can hardly be 100 per cent the students'. James Jackson Kilpatrick pointed out that asked in 1950 what is the name of the capital of the Philippines, 84 per cent of college students answered: Quezon City. Asked the same question in 1984, only 27 per cent gave the right city. It is unreasonable to suppose that genetic decomposition set in between then and now. No, it isn't the raw material of American youth, but it obviously has much to do with their study habits, and these have a lot to do with their teachers (how demanding are they of student progress?) and with their parents (how demanding are they that their children spend time learning?).

There should be carrot and stick in

facing the problem of youthful ignorance, and herewith a concrete suggestion.

There is one thing—one universal—craved by boys and girls at age 15. It is that minutes—at most days, or a week—after they are 16, they receive a driver's license. For most Americans, it is one of the most important rites of passage in life, on a scale with birth, marriage, and death. When my son was 15, I learned that (like his father at that age) he was a secret cigarette smoker. That was about the time the doctors were discovering that cigarette smoking is a genial form of self-abuse, leading to cancer, heart disease, emphysema, and all those other things. So I said to him: Unless you give me your word you will stop smoking, I will not sign the parents' permission form required to get a license (lacking which, in most states, you need to wait until you are 18).

That did it. At 16 and one week, he drove a nicotine-free car. Why shouldn't we make that a universal?

Yes, why shouldn't the states insist that a common-information IQ test be required of the 90-plus per cent of Americans who apply for a driver's license? The problem is of quite devastating dimensions. As Professor E. D. Hirsch Jr. has said in his book *Cultural Literacy: What Every American Needs to Know*, the schools have abandoned their most essential function, which is the transmission of national culture, "the teaching of commonly shared, traditional information." The teachers need prodding to teach, and the students need prodding to learn, and this essay focuses on student pressure, rather than teacher pressure.

CHARLES TRUEHEART of the *Washington Post* wrote about Mr. Hirsch's book in an engaging article under the headline, "Hey! Remember / The Maine?" He wrote, "Open his new book . . . to the fun part—the list at the back—and plunk your finger down somewhere: 'Crimean War; critical mass; Cro-Magnon man; Crockett, Davy; crocodile tears; Croesus, rich as . . .' Feeling culturally literate? Keep scanning the list: 'empiricism; Empyrean; encyclical; endocrine; *enfant terrible*; Engels.'" There would be a lot of controversy over whether any single entry in the Teenagers' Informational IQ Test belonged there, but that isn't a tough problem. Professor Hirsch gave his test to six hundred lawyers, on the assumption that lawyers are high specimens of the educated class, and they scored an average of 92 per cent. Well, the states might reasonably insist on, say, 50 per cent in order to pass.

But oh my, what a rush you would see to the books, beginning at approximately age 14. Among the high-school graduating class of 1990, you wouldn't find anyone who was unaware that that year's Gary Hart was running for President. □

(Universal Press Syndicate)

# BOOKS IN BRIEF

(Continued from page 55)

in the securities markets at the time. Add *The Life and Legend of Jay Gould* to the short shelf of revisionist financial histories.

JOE MYSAK

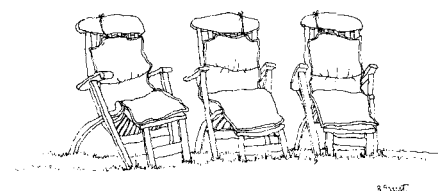
*Past Tense: Volume I, Diaries, by Jean Cocteau, Introduction by Ned Rorem (Harcourt Brace, 362 pp., \$19.95)*

COCTEAU, born in 1889, was a poet, playwright, filmmaker, and novelist. He was also, it turns out, a diarist; and this journal—which begins in 1951 (12 years before his death), when he was working on his play *Bacchus*, and continues until the end of 1952, when he was “rereading old texts, and rediscovering old drawings,” in a villa in Milly—is the first volume of six. Chronicling the author’s ruminations about his work, friendships, and social life, this freewheeling, diverting, and even sometimes enlightening collection is especially wonderful when Proust (with whom Cocteau had a love-hate relationship) is the subject: “What amazes me is Marcel’s rage and despair because Mme. de Chevi-gné [Proust’s model for the Duchesse de Guermantes in *Remembrance of Things Past*] refused to read him, which is like insisting that the toads express enthusiasm for Jean Rostand’s studies of their love lives.” Other artists and writers on whom the author makes some engaging pronouncements include Maugham, Matisse, Eluard, and Picasso. Much less inviting, however, are—among other entries—Cocteau’s naïve (at best) reflections on Stalin (“Stalin refuses all dialogue because he knows that a conversation with fools always degenerates into a dispute”), or on Americans (“Odd that Americans, who despise ‘people of color,’ should be so eager to let the sun bake them as black as possible”). Fortunately, such assertions are greatly outnumbered by much more observant ones, and they all are given to us in a lucid translation by the poet Richard Howard.

RODNEY STEVENS

*Moscow and the Vatican, by Alexis Floridi, SJ (Ardis, 279 pp., \$23.50)*

THIS IS AN impatiently written book, reflecting the author’s outrage that churches continue to be persecuted under the iron grip of atheistic Russian



domination. The text, as is characteristic of such literature, is frequently interspersed with quotations from well-known heralds like Solzhenitsyn, Sakharov, and Bukovsky, plus less well-known but no less courageous victim-spokesmen like Fathers Seskevicius and Zdebskis, imprisoned for catechizing young people in Lithuania. What distinguishes this book from similar documentations of religious persecution in the Soviet sphere is its challenging the wisdom of 1970s Vatican Ostpolitik, which Pope Paul VI and his Secretary of State, Agostino Cardinal Casaroli, hoped would lead to better relations between the Catholic Church and the Communist states of Eastern Europe. Father Floridi’s thesis is that, in pursuing this agenda, the Vatican demoralized the dissident movement by virtually ignoring the pleas for recognition of its suffering witness. For example, the appointment in Lithuania of a few conciliatory bishops seriously undercut those fervent priests who were willing to suffer exile and martyrdom for their faith, and made many Lithuanians question whether the Pope understood their country’s plight at all. Even more tragic was the handling of the Western Ukrainians and Byelorussians who constitute the now underground Ukrainian Rite Catholic Church. Their towering spiritual leader, Metropolitan Josef Slipyj, repeatedly besought the Vatican to speak out about their persecution, but his requests lost out to diplomatic efforts spearheaded by Jan Cardinal Willebrands to engage the thoroughly emasculated Russian Orthodox hierarchy in a fruitless dialogue.

DAVID ROONEY

## NOVAK

(Continued from page 37)

The comparison of one’s own lot with the lot of others, by contrast, breeds envy.

5. For Madison, finally, the securing of rights depends firmly upon “the protection of different and unequal faculties of acquiring property.” This wholly virtuous and legitimate unequal-

ity is rooted in the normal diversity of individual natures, characters, and fortunes, and it is essential for preserving liberty. Private property is the material that the individual person fashions to his or her own insight and will; it is the material of the art of living. To respect individual liberty is to respect different faculties for acquiring, disposing of, and using property.

Paradoxically, then, the same American Proposition that announces equal rights for all announces unequal outcomes for all, and grounds the former principle in the latter, seeing both as springing from one common human nature. Some four score years after the Declaration of Independence, Abraham Lincoln penetrated to the heart of the Framers’ conception as have few Americans before or since. In the Homestead Act, he favored the diffusion of property holdings as widely as possible. Later, summarizing his own conception of the “Proposition” to which the Union was committed, Lincoln expressed quite succinctly his understanding of “the principle of liberty”:

Without the *Constitution* and the *Union*, we could not have attained the result; but even these, are not the primary cause of our great prosperity. There is something back of these, entwining itself more closely about the human heart. That something is the principle of “Liberty to all”—the principle that clears the path for all—gives *hope* to all—and by consequence, *enterprise* and *industry* to all.

THE FRAMERS, like Lincoln, had every reason to support an enlarged Union—an *unum*—in order to secure the inalienable rights cherished by a republican people. But they also had every reason to support a principle of pluralism—*E pluribus*—in order to make that Union safe from both a tyrannical majority and an envious mob. Their originality lay as much in their principles for the new nation’s economy as in their principles for its polity. Better than their critics, they saw that by such principles as they had learned from their “new science of politics,” they would secure a longer-lasting love for the public good, a more enduring spirit of cooperation and voluntary association, and a greater love for constitutional unity than any republic had ever yet achieved. □

THE ART OF SUPERIOR PERFORMANCE



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## Solution to Last Issue's Trans-O-Gram

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Hart's veracity, not adultery, was on the line and he put it there. He challenged the press to do what he then complained it did. Hart failed to meet even a rudimentary test for candor that he set for himself.

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(*NR* extends maximum freedom in this column, but *NR*'s maximum freedom may be another man's straitjacket. *NR* reserves the right to reject any copy deemed unsuitable. —Pub.)

CALIFORNIA-AREA NAVAL OFFICER, Catholic, single, never married. Enjoys music, tennis, and outdoors. Seeks very attractive, preferably petite, professional, educated, empathetic (preferably in a helping occupation) female, 27-33. Photo requested. Write NR Box 4492.

NORTHERN CALIFORNIA: Writer with hillside overlooking vineyards looking for pretty young thing who would love being barefoot and pregnant in the wine country. Old-fashioned values and taste for zinfandel essential. Write NR Box 4493.

ATTRACTIVE, INTELLIGENT, versatile, well-traveled, financially secure, professional, Catholic female, 34, seeks Catholic man, 40-44, interested in other than an "off-the-rack" edition. Interests: history, languages, travel, jogging, vintage trains, music, Andrew Greeley novels, baseball, and basketball. Write NR Box 4485.

MANHATTAN WOMAN, 48, combines Southern grace with city sophistication, seeks Manhattan he-man who has it all: brains, wisdom (as in Proverbs 3:5,6), backbone, his own teeth, and a minimum 7-figure bottom line. Seeker is quite self-reliant, yet discontented alone. Hope to spend the next half-century pursuing good books, great music, faraway adventure, some weekend gardening, quiet times at home with a very special love. Write NR Box 4465.

CHRISTIAN AIRLINE CAPTAIN, a youthful 41, never married, would like to meet an attractive young Christian woman interested in travel, sports, reformed theology, and a large family. Write NR Box 4495.

WIDOWED WHITE FEMALE, mid 50s, with old-fashioned ideals, college-educated, vivacious, caring, seeks single Caucasian, 56-62, who is a patient, loving, intelligent, emotionally stable, quiet, sincere, refined gentleman with variety of interests such as walks, dining out, conversation, laughter, and life. Write NR Box 4478.

OHIO-AREA conservative, Catholic, single, college-educated male, 32, nuclear engineer, seeks correspondence with single Catholic female, 25-32, who enjoys *NR*, C-Span, sports, dancing. Write NR Box 4426.

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BELLS: Thank you very much for your hospitality and for the loan of the sweatshirt. Tangneys

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# TRANS-O-GRAM / KEM PUTNEY

## DEFINITIONS

|                                              |                                    |
|----------------------------------------------|------------------------------------|
| A. City in western South Carolina            | 140 150 43 11 90 171 73 109        |
| B. Attorney known for his lip service?       | 153 22 146 86 66 132 165 3 38 101  |
| C. Certain painters                          | 83 14 136 130 117 69 44            |
| D. The wash hangs out here                   | 48 34 133 25 76 124 97 170 113 62  |
|                                              | 6                                  |
| E. Instructed orally                         | 134 154 21 75 111 100 56 36        |
| F. Meaningful names                          | 88 58 135 127 10 30 151 167        |
| G. Sometimes they are vested                 | 137 84 63 42 166 159 17 102 116    |
| H. Goal of the summer-camp prankster (hyph.) | 112 103 168 71 1 15 87 33 149 52   |
| I. Cattle breed                              | 128 164 7 60 20 122 49 82          |
| J. Newspaper items                           | 57 145 13 162 169 40 106 26 95 139 |

|                                                 |                                  |
|-------------------------------------------------|----------------------------------|
| K. South Pacific island group (2 words)         | 23 53 78 64 129 110 96 61 120 8  |
|                                                 | 156                              |
| L. Shad lookalike                               | 92 39 77 123 89 12 65            |
| M. Economist concerned with food and population | 91 118 59 147 163 28 155         |
| N. Tangled                                      | 115 141 9 158 67 94 50 31        |
| O. Puzzlers                                     | 125 105 54 85 19 161 41 68       |
| P. Poetic pastoral scenes                       | 152 142 4 81 121                 |
| Q. Kitchen appliance that can handle the grind  | 138 70 35 47 18 104 55 157 27    |
| R. Time of day                                  | 51 74 29 37 160 93 144 107 114   |
| S. Descriptive of the front-page story          | 119 45 98 143 108 79 131 16 2 72 |
| T. Suffers from the heat                        | 32 5 126 46 148 99 80 24         |

|       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 1 H   | 2 S   | 3 B   | 4 P   |       | 5 T   | 6 D   | 7 I   | 8 K   |       | 9 N   | 10 F  | 11 A  |       | 12 L  | 13 J  | 14 C  | 15 H  | 16 S  |       |
| 17 G  | 18 Q  | 19 O  | 20 I  |       | 21 E  | 22 B  | 23 K  | 24 T  | 25 D  | 26 J  | 27 Q  | 28 M  | 29 R  | 30 F  | 31 N  |       | 32 T  | 33 H  | 34 D  |
| 35 Q  |       | 36 E  | 37 R  | 38 B  | 39 L  | 40 J  | 41 O  | 42 G  | 43 A  |       | 44 C  | 45 S  | 46 T  | 47 Q  |       | 48 D  | 49 I  | 50 N  | 51 R  |
| 52 H  | 53 K  | 54 O  |       | 55 Q  | 56 E  | 57 J  | 58 F  | 59 M  | 60 I  |       | 61 K  | 62 D  |       | 63 G  | 64 K  | 65 L  |       | 66 B  | 67 N  |
| 68 O  | 69 C  | 70 Q  | 71 H  | 72 S  |       | 73 A  | 74 R  |       | 75 E  | 76 D  | 77 L  |       | 78 K  | 79 S  | 80 T  | 81 P  | 82 I  |       | 83 C  |
| 84 G  | 85 O  |       | 86 B  | 87 H  | 88 F  | 89 L  | 90 A  |       | 91 M  | 92 L  | 93 R  | 94 N  | 95 J  | 96 K  | 97 D  |       | 98 S  | 99 T  | 100 E |
| 101 B |       | 102 G | 103 H | 104 Q | 105 O | 106 J |       | 107 R | 108 S | 109 A |       | 110 K | 111 E | 112 H | 113 D | 114 R | 115 N | 116 G | 117 C |
|       | 118 M | 119 S | 120 K |       | 121 P | 122 I |       | 123 L | 124 D | 125 O | 126 T |       | 127 F | 128 I | 129 K | 130 C | 131 S |       | 132 B |
| 133 D | 134 E | 135 F | 136 C | 137 G | 138 Q | 139 J |       | 140 A | 141 N | 142 P |       | 143 S | 144 R |       | 145 J | 146 B | 147 M |       | 148 T |
| 149 H | 150 A |       | 151 F | 152 P | 153 B | 154 E | 155 M |       | 156 K | 157 Q |       | 158 N | 159 G | 160 R | 161 O |       | 162 J | 163 M | 164 I |
| 165 B | 166 G |       | 167 F | 168 H | 169 J | 170 D | 171 A |       |       |       |       |       |       |       |       |       |       |       |       |

## DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's New International Dictionary*, Second Edition. See page 60 for solution to last Trans-O-Gram.

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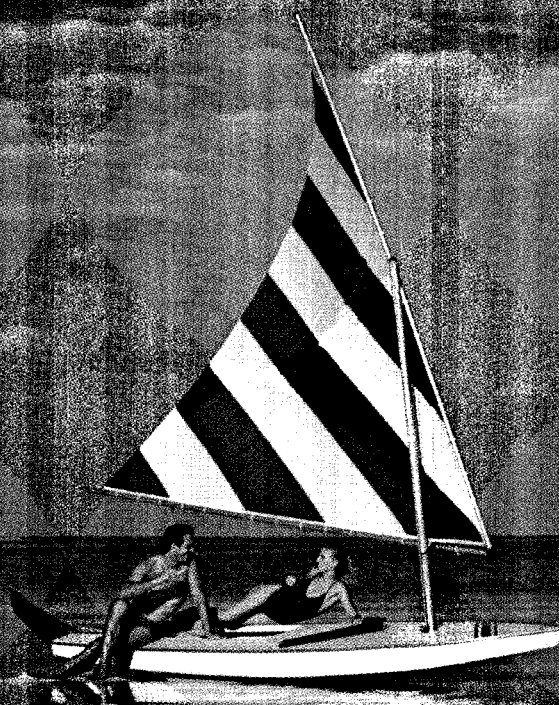
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